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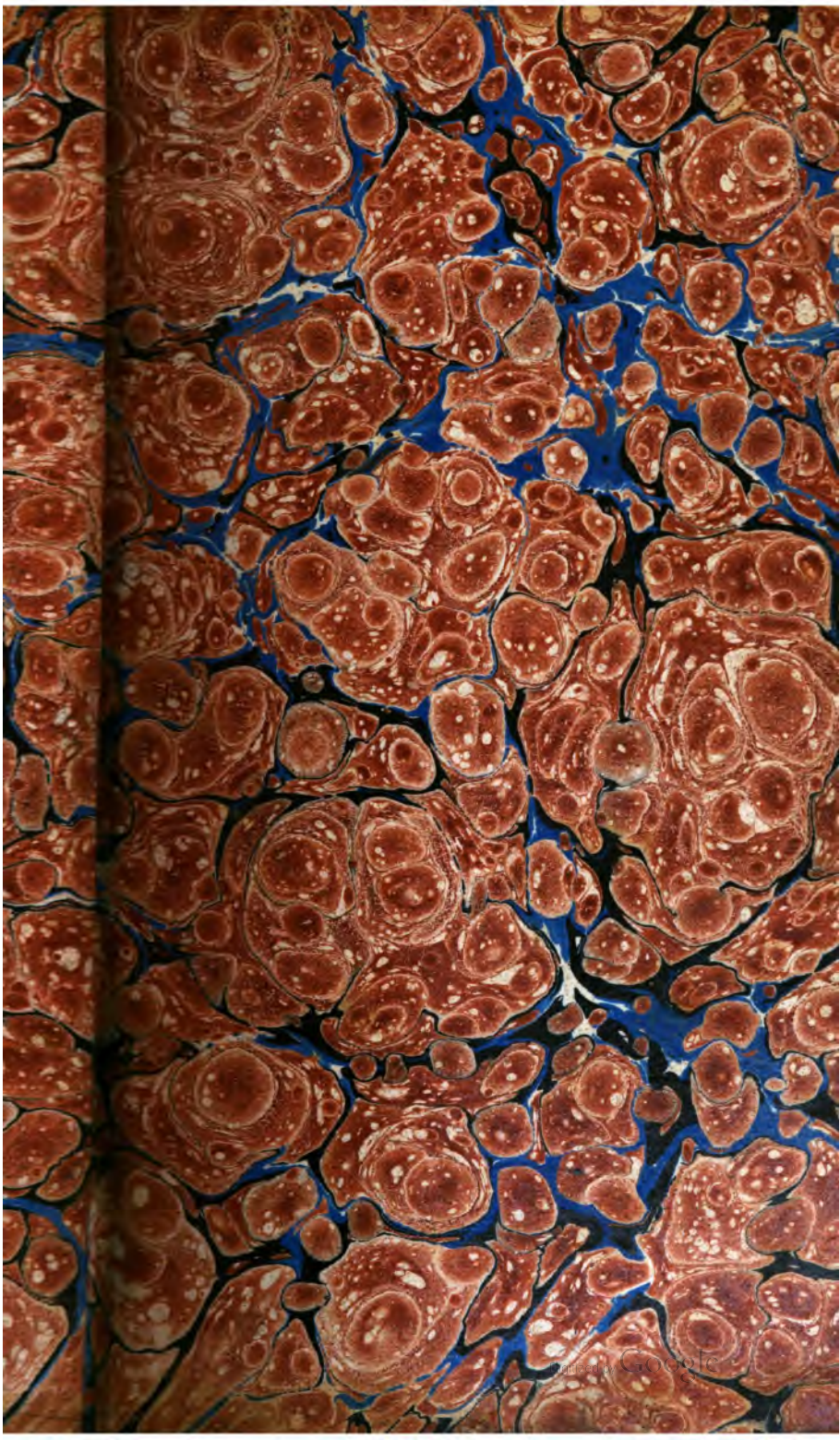
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DE LAUSANNE

par .....Mme...Boiceau-Gaulis.....

.....Lausanne.....











A. Mr. Gauler









THE  
*HISTORY*  
OF THE  
HELVETIC REPUBLICS.

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By FRANCIS HARE NAYLOR, Esq.

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VOL. I.

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SECOND EDITION.



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1809.





TO THE  
IMMORTAL MEMORY  
OF THE  
*RIGHT HONOURABLE*  
**CHARLES JAMES FOX,**  
THE ENLIGHTENED CHAMPION  
OF  
*CIVIL AND RELIGIOUS LIBERTY;*  
THIS HISTORY  
OF A  
FREE AND GALLANT PEOPLE,  
IS DEDICATED BY  
*THE AUTHOR.*





## P R E F A C E.

---

**T**HE appearance of a new work supposes either the novelty of the subject, or the imperfection of former attempts. In either case, the Public possesses the indisputable right of ascertaining an author's claims. All that can be sued for with propriety is an impartial award, and that the Author of these Volumes feels secure of obtaining. Individuals may be influenced by friendship, misled by prejudice, or biassed by party; but when an opinion is sanctioned by general suffrage it is usually founded in reason.

The leading features of Helvetic story have been long familiar to the reader, but there

was

was still wanting, in our language at least, a clear connected narrative, unencumbered by the awkwardness of episode, or the prolixity of useless detail.

This consideration originally tempted me to undertake the work, which I now submit to the Public with many alterations and additions. Neither time nor labour have been spared to render it as perfect as it is in my power to make it.

Mr. Müller, in Germany, Mr. Mallet\* in Switzerland, and Mr. Planta in this country, have preceded me in the same career. The first, laborious and exact, has left little for industry to collect, or dulness to compile. Unfortunately, however, he has brought down his history no lower than the Zurich war.

\* Mr. Mallet's History did not appear till 1803, so that I had not the advantage of consulting it when the two first volumes were composed.

The

The second, to his predecessor's accuracy has added neatness, but he is not equally to be commended for his impartiality. Of the merits or defects of Mr. Planta's book a rival is no competent judge.

With respect to the ancient chroniclers, so much has been said by the celebrated Haller that nothing remains to be added. But there are two publications to which I am so essentially indebted that I feel bound to acknowledge the obligation. The one an anonymous history printed at Zurich in 1794, under the title of *Geschichte der Eydgenossen*, which is so universally, however, attributed to Tschärner, that I have not scrupled to quote it under his name. The other *L'Histoire Militaire de la Suisse*, by May, a work not less remarkable for judgment than for accuracy, which only came into my hands, after my two first volumes were out of the press, but proved of essential service to my subsequent sheets, by teaching  
me



me to correct many errors, into which I had been inadvertently betrayed. But to none do I think myself so much indebted as to the judicious criticisms of the Rev. Francis Wrangham, a gentleman so well known in the literary world, that all encomiums of mine must be unnecessary. His friendly assistance has enabled me to present this work to the public in a less imperfect state than it would otherwise have appeared under.

The causes and effects of the late dreadful catastrophe, which has annihilated the independence of Helvetia, are too much obscured by the interest and inveteracy of contending factions to be viewed with indifference, or discussed with moderation. The best feelings of our nature are too deeply engaged to permit the dispassionate exercise of reason. Time alone can attest the durability of a fabric founded upon tyranny, and cemented by blood. The politician may conjecture, the philosopher

philosopher may argue, but the historian must wait in silent expectation, content to offer up his prayers to Heaven that the cause of justice may prevail. Eager to escape from the calamitous prospect which surrounds me, by contemplating the proudest fabric of modern refinement, I joyfully pause at the peace of Westphalia, and lay down my pen, with ardent wishes for the triumph of liberty, the restoration of order, and the propagation of civil and religious truth.

*Welbeck Street,*

*July 1, 1809.*



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# HISTORY

## OF THE

# HELVETIC REPUBLICS.

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### CHAPTER I.

*View of Helvetia before the Time of Caesar—  
That Country subdued by the Romans—Bur-  
gundians—Alamanni.*

**F**ABULOUS and inconsistent as the ac- CHAP.  
counts in general appear, which cloud I.  
with uncertainty the origin of almost every  
people; it is still an object of curious inves-  
tigation to follow up their story, so far as  
possible, to it's source, and to trace in the  
gloomy pages of antiquity the early dawns  
of those distinctive qualities, which constitute  
what is usually termed their national cha-  
racter. In this point of view, the annals of  
Helvetia merit peculiar attention. The  
VOL. I. B stubborn

CHAP. stubborn resistance with which it's early in-

I. habitants defied all the efforts of the Roman arms, presents to us the same enthusiastic ardor in the cause of liberty, the same detestation of arbitrary power, and the same patriotic attachment to their country, which at a later period burst forth in successful resistance to the despotism of Austria; and gave rise to that happy system of government, the wanton destruction of which forms one of the blackest features in the monstrous catalogue of modern crimes.

Our geographical information, respecting the boundaries of ancient Helvetia, is derived from Cæsar, with greater accuracy than from any other writer; though his testimony is confirmed by the concurring voice of antiquity. To the south, it was separated from Italy by the immense chain of the Alps, whose rugged summits long opposed an insuperable barrier to the ambition of Rome, and drew as it were a line of demarcation between the polished and the barbarian world. The Hircanian forests stretched their impenetrable deserts to the north. Westward ran the Rhone: while the eastern frontier was bounded

bounded partly by the Rhine, and partly by a ridge of lofty mountains diverging from their native Alps. Before the time of Cæsar, the Helvetians maintained little intercourse with their enlightened neighbours to the south. Their history therefore is scarcely known to us, though the earliest records represent them as living in the closest union with the Gauls, with whom they are not unfrequently confounded. What share they had in the celebrated expedition undertaken by that people, under the command of Brennus, is at best uncertain. Nor is the research worth much inquiry; because, independently of its unfortunate termination, the result produced no material change in the political situation of Helvetia. For it does not appear that they were sufficiently weakened, by the losses which they then sustained, to leave the haughty republicans any reasonable hope of revenging the insult by a successful invasion of Switzerland. And we are too well acquainted with the principles of Roman policy, to suspect that even at that early period sentiments of humanity, or moderation, ever

CHAP. influenced the decisions of the common-  
I. wealth\*.

Helvetia, in the time of Cæsar, was divided into several districts †; each of which, as was customary among most of the northern nations, formed a separate republic. The union of the whole into a general confederacy constituted a government not very different from that which has prevailed in the same country from the days of William Tell till its late unhappy change. The municipal administration of each province was vested in its respective magistrates; but public affairs were debated in a general assembly, at which, as in a Polish diet, the representatives appeared in arms.

\* M. May, in his military history of Switzerland, attributes to the Helvetii a considerable share in the famous expedition of the Cimbri, undertaken during the consulate of Marius. Refuting the Roman historians with great ingenuity, he asserts that his countrymen, though repulsed, were not destroyed, but retired with so much order, that the consul dared not venture to molest them in their retreat. In this respect, he says, the boasted victory of Marius bore a strong resemblance to that of Francis I. at Marignan. May, v. i, sect. 12.

† Cæsar, B. G. lib. i.

All

All political consequence, among the ancient Helvetii, was confined exclusively to two classes\*—the nobility† and the druids. The existence of the common people was scarcely better than that of the peasantry in modern Russia. Under the triple character of magistrates, philosophers‡, and priests,

\* Cæsar, lib. vi. cap. xiii.

† This dignity seems to have been entirely of a military nature, and to have been conferred (like the honour of knighthood in later times) upon those alone who distinguished themselves by their courage in the field. After an impartial investigation of his conduct, in a general assembly of the tribe to which he belonged, the successful warrior received this envied distinction by public suffrage. Nor was the title hereditary; unless the son deserved it by following his father's footsteps. But in case of a degenerate heir, the dignity ceased, or might be forfeited by a breach of those virtues, to which barbarous nations attach the highest ideas of perfection; viz. personal prowess, the rights of hospitality, and conjugal fidelity. As the prerogatives of nobility were granted by public suffrage, so did the degradation take place with equal solemnity. And such was the infamy which attended it, that it would have been considered as disgraceful to the meanest citizen to have allied himself with the family of the offender. Vide *Histoire Militaire de la Suisse*, par May, v. i. sect. 2.

‡ Public seminaries existed in many parts of Gaul, where novices were initiated in the mysteries of religion. May, v. i. sect. 3.

CHAP. the druids possessed unlimited authority.

I.

— Their power was derived from the credulity of the vulgar ; a fertile source, when cultivated by the hand of artifice and hypocrisy. In this celebrated cast, we may trace the same springs of conduct, which, at a later period, raised the papal crown to so dangerous a pre-eminence, and formed the master-key of Roman policy. Mysteries and interdicts were equally familiar to both. By the first, they imposed on the easy faith of the superstitious. By the second, they silenced the inquiries of the more enlightened. Whoever refused to recognize their supremacy, was excluded from the communion of the faithful, and deprived of all the rights of citizenship. Their resentments were implacable. Their vengeance was atrocious.

On the other hand, the whole military power was vested in the nobility ; who, according to the rude manners of the age, considered every other occupation as degrading to exalted rank. The Helvetii are uniformly painted as a brave and generous people, delighting in war ; despising commerce, with which they were unacquainted ;  
and

and regarding agriculture as an employment CHAP.  
 fit only for slaves. Accustomed from their I.  
 cradles to a life of hardships, and privations,  
 no fatigues appeared great, no enterprises  
 hazardous, when glory was the reward of  
 success. Even the women contemplated the  
 most perilous undertakings with unshaken  
 constancy; and have been frequently known  
 to rush on death with all the calm intrepidity  
 of stoicism, rather than survive the ignominy  
 of a defeat. A spirit like this could never  
 long continue in repose. When disengaged  
 from foreign wars, it burst forth in domestic  
 tumults and civil dissensions.

The ambitious projects of Orgetorix\*, as  
 described by the masterly pen of Cæsar, ex-  
 hibit a striking picture of the turbulence of  
 every barbarous age; and show the inefficacy  
 of undisciplined courage, when opposed to  
 military skill. Orgetorix was distinguished  
 among his countrymen by the number of his

\* Mr. Mallet supposes Orgetorix to have been *lord*  
*of the Arguce*. In the language of the ancient Gauls,  
 the word *rix* corresponds with that of *sovereign*; the  
 pronunciation of *or* he imagines to have been nearly  
 similar to that of *aar*, among the modern Germans.  
 v. i. p. 19.

CHAP. dependents, the extent of his possessions, and  
 I. the nobility of his birth\*. Though indis-  
 putably the first citizen in a free state, his  
 haughty soul aspired to a more permanent  
 dominion, than any which personal merit or  
 popular favour could confer. But to enslave  
 his countrymen a military force was requisite.  
 He accordingly exerted all his influence to  
 engage them in a war, convinced that the  
 command of the Helvetic army must of course  
 devolve upon himself. Neither was it a dif-  
 ficult task to persuade an enterprising peo-  
 ple, that the narrow limits of Helvetia were  
 too confined for the display of their courage,  
 or to seduce their imagination by the alluring  
 picture of every delight and comfort which  
 is to be found under the genial influence of a  
 milder sun. The project of conquest was  
 too congenial to the feelings of his audience,  
 not to be received with transport and em-  
 braced with ardor. It was unanimously re-  
 solved by the applauding crowd, to abandon  
 the sterility of their native rocks, and to

\* He was the son of a celebrated warrior of the same  
 name, who commanded the Helvetii, when they in-  
 vaded Gaul, in the time of Marius. May, v, i. sect. 12.

procure



procure for themselves by force of arms an establishment in the fertile plains of Gaul. Orgetorix was hailed the leader, and became the idol, of his country. By his advice, the two succeeding years were employed in preparations for this important undertaking; the third being fixed on for its execution. Elated with his temporary success, the general considered himself as now arrived at the summit of his wishes; and giving unbounded scope to the impetuosity of his temper, disdained any longer to employ those necessary precautions, with which he had hitherto concealed the real objects of his pursuit. By his artful suggestions, he prevailed on Dumnorix and Casticus, both leaders of high reputation among the Sequani and Æduans, and who were nearly allied to him by marriage, to enter into all his projects; a compact was formed between them, by which it was stipulated that they should not only divide the conquered territory, but should seize upon the government of their respective provinces, and assist each other in their usurpations. A plan, conducted with such manifest imprudence,

CHAP. imprudence, could not long remain secret;

I. Orgetorix was watched; his schemes were detected, and a public trial ensued. Flattering himself still to awe the assembly by an ostentatious display of military power, he appeared before the tribunal at the head of a numerous retinue\*. But his popularity was lost, and his designs were too notorious to admit of palliation. The process was short; and sentence of death was pronounced upon him, by the unanimous suffrage of his judges. But before the day of his execution he was found dead in his prison, every circumstance combining to excite the strongest suspicion that he had fallen by his own hands†.

The

\* According to some historians, he was escorted by a body of twelve thousand friends and clients. May, v. i. sect. 15.

† M. May, who has investigated the military history of his country with the minutest attention, gives a very different account of the death of Orgetorix. The power of that great man (he pretends) was such, that his judges dared not pass sentence upon him, but referred the decision of his fate to the gods, who were to be consulted for that purpose by the druids. Convinced that he had nothing now to expect, Orgetorix invited

The death of their leader was, however, CHAP. by no means sufficient to allay the ferment, I. which his rashness had created. On the contrary, the apprehension of being exposed to the resentment of an implacable foe, in case of delay (for the projected invasion was no longer secret), was considered as an adequate reason to accelerate their migration. Persuaded too that the army would advance with more determined courage, if deprived of every hope of a prosperous return, they adopted the frantic expedient, of setting fire to their towns and villages. Every implement of husbandry was destroyed, together with all the corn which they were unable to carry with them as a supply during their march. Several of the barbarous tribes, who inhabited the surrounding mountains, were prevailed upon to embrace the same scheme of desperation, and to embark in the common cause. So that Helvetia now exhibited the frightful picture of universal desolation.

Not

invited his friends to a splendid banquet, and having recommended the interests of his family to their care, threw himself upon his sword, and expired before their eyes. Sect, 15.

CHAP. Not a single hut\* was left standing. Not a

I. field bore the vestige of cultivation.

B. C. Cæsar no sooner received intelligence of

56. their designs, than he hastened with his wonted activity to Geneva, where he immediately assembled all the troops that could be drawn from the neighbouring garrisons, but which amounted to little more than a single legion. Unable with so small a force to oppose the numerous hosts, which were rushing forward with all the ardor of anticipated victory, he prudently resolved to temporise. So that, when the ambassadors of the Helvetii waited upon him to demand a passage through the Roman provinces, he received them with ambiguous courtesy, requesting some days to consult the senate upon a subject of so much importance. Every moment was of consequence to Cæsar, as it enabled him to receive reinforcements from Italy; while the smallest delay could not but

\* According to Cæsar, the whole country was divided into four military provinces; and contained four principal cities, and four hundred villages. The houses were built of wood, and covered with straw; nothing therefore could be more easy than to destroy them by fire. Mallet. i. p. 27.

prove

prove fatal to an army unacquainted with CHAP. military tactics, and ignorant of all those I. necessary precautions, which are the result of civilised acquirements. Having fortified the principal passes, and broken down all the bridges over the Rhone, the Roman general had no longer occasion to dissemble. Confident in the valor of his veteran bands, and in the inexhaustible resources of his unbounded genius, his behaviour to the Helvetic delegates, when they returned on the appointed day to learn his final decision, was dignified and resolute; his refusal firm, and unqualified.

The leaders of the Helvetii were struck with this sudden change in his language and behaviour; but they had gone too far to recede. Sensible of the error which they had already committed, they resolved to force a passage without farther delay, but every ford was guarded; and all their efforts were fruitless. In this situation, nothing remained but to attempt a different route. Yet whichever way they directed their march, they found the inhabitants prepared to oppose them. The terror of the Roman name, and their own disorderly

CHAP. disorderly conduct, had operated so power-  
I. fully in their disfavour, that they met with  
resistance even among those tribes which they  
believed most friendly to their cause. Their  
resources were now exhausted, so that ne-  
cessity forced them to the most rigorous ex-  
actions. Strangers to every institution, which  
polished society has adopted for the protection  
of neutral powers, whoever hesitated to de-  
clare in their favour, was treated as an enemy.  
A system so impolitic was no less favourable  
to the Romans, than prejudicial to themselves.  
Thousands flocked daily to the standard of  
Cæsar, to court his friendship, or to implore  
his protection.

Being at length reinforced by five legions  
from Italy, and joined by swarms of auxiliary  
barbarians, the Roman chieftain no longer  
confined himself to defensive measures, but  
hovering over the enemy, during a long and  
difficult march, was continually harassing  
them by repeated attacks; till having drawn  
them into a position, where superiority of  
numbers could avail but little, he fell upon  
them with that determined courage which  
nothing

nothing could resist. A desperate conflict CHAP. ensued\*, in which undisciplined valor was I. finally constrained to yield to the superiority of Roman genius. The carnage was dreadful, but victory was no sooner decided in Cæsar's favour, than he treated the vanquished with that noble clemency, which forms so amiable a feature in his character. The only condition imposed upon them was, that they should immediately return to their native vallies, and rebuild the towns which they had so rashly destroyed. The loss of the Helvetii, in this fatal expedition, is estimated by the conqueror at two hundred and fifty-seven thousand. Their original numbers consisted of three hundred and sixty-seven thousand: of which only one hundred and ten thousand returned†.

This was, indeed, a fatal blow to the power of Helvetia. Their own imprudence had

\* This celebrated battle was fought in the vicinity of Aun. May, i. sect. 15.

† We do not pretend to vouch for the accuracy of Cæsar's statement, which was probably much exaggerated: But we should consider it as a waste of time, were we to investigate the subject with that critical precision, which is so much in fashion among modern writers, and which serves no better purpose, than to prove that their vanity is superior to their discernment.

deprived

CHAP. deprived them of every resource. In obedience

I. however to the victor's command, they repaired their losses with diligence and activity; and Zuric, Soleure, Lausanne, Vevai, Meudon, Iverdun, Avenche, and Zug arose from the ruins of their former cities.

The tranquil possession of Helvetia appeared necessary to Cæsar, to ensure the success of his Gallic expedition; an enterprise, which he had long meditated in secret, as the foundation of his future greatness. The Helvetii were, in consequence, admitted to the honour of an alliance with the mistress of the world; and so prevalent was thenceforth the influence of the Romans in all their domestic transactions, that Helvetia can scarcely be regarded in any other light, than that of a dependent province; which it was afterwards declared by Augustus.

It can scarcely be necessary to observe, that in the division made by that specious tyrant, Gaul was among the provinces which were particularly reserved for the imperial jurisdiction, and governed by the delegated authority of a proconsul. Augustus, at first, permitted the subjugated Swiss to assemble at stated periods, and to prefer their complaints  
against



against the collectors of the public revenue, CHAP.  
in cases of unjust or oppressive exactions\*. 17

These privileges were, however, too repugnant to the interested views of individuals to be of long duration; and after having been gradually circumscribed by successive emperors, they were finally abolished by Dioclesian.

It was a part of Roman policy to secure the obedience of the conquered provinces by establishing colonies, whose attachment was captivated by a variety of immunities and exemptions, distinguishing them from the original inhabitants. For those crafty politicians were too well acquainted with the human heart, to trust the validity of any political transactions, in which interest had not a considerable share. Cæsar established an equestrian colony at Nion, on the lake of Geneva. Some time after his death, the capital of the Rauraci being rebuilt, received in honour of Augustus the name of *Augusta Rauracorum*†. The prudent system of government adopted under his administration, by which that artful emperor flattered himself to efface the crimes and cruelties of the triumvir, afforded no un-

\* Proc. xli. de Off. Præ.

† Florus.



CHAP. favourable prospect to the subjugated world.

I. The atrocities, which contaminate the memory of his immediate successors, were in a great measure confined to Rome. The imperial purple, except in the single instance of Claudius, was dispensed with undisputed power, as the capricious fancy of the reigning despot decided; till the frantic fury of Nero at length wearied out the patience of his corrupted slaves, and deprived of the imperial diadem the odious race by which it had been so long disgraced. From the death of Augustus to the elevation of Galba, Italy had been the bloody theatre, upon which despotism sported with the forbearance of mankind. But the remoter provinces experienced a less wretched fate; and had in some degree recovered their former losses. Helvetia profited by this interval of repose\*. The period of her tranquillity was, however, short. A hasty and improvident declaration in favour of Galba drew

\* The workmen, who were sent by Caesar to assist the Helvetii in rebuilding their towns, were induced to establish themselves in that country, and contributed essentially to the civilisation of the inhabitants by the introduction of many useful and ornamental arts.—May, v. i. sect. 17.

.. down

down the resentment of Cæcina, the lieutenant of Vitellius\*; who eagerly seized the opportunity of treating a rebellious province with that savage inhumanity, so congenial to the rapacity of his own nature, and to the ferocious temper of his master. Under the mild government of Vespasian, Helvetia received the most flattering marks of favour; as that virtuous emperor ever manifested an honourable predilection for the country, where by successful commerce the Flavian family† first emerged from obscurity.

During a period of eighty-four years, from the accession of Nerva to the death of Marcus Aurelius, mankind enjoyed a degree of felicity, under the equitable administration of five subsequent princes, which must have naturally led them to entertain the strongest prepossession in favour of an adoptive succession. When the latter too imprudently suffered the feelings of the father to overcome the duties of the sovereign, and the empire once more

\* Tac. Hist. I.

† Speaking of Sabinus, the father of Vespasian, Suetonius says, *Pænis apud Helætiæ exercuit, ibidemque diem obiit.* Vit. Vespas.

CHAP. reverted to an hereditary course, the event

I.

was by no means calculated to obliterate the former impression. From the weak indulgence shown by Commodus to the Prætorian cohorts arose that licentious spirit, which rendered them in the sequel the sole dispensers of sovereign power. From that time, virtue was scarcely ever tolerated on the throne of the Cæsars; and even when amidst the violence of civil commotions it obtained a partial triumph from the successful struggles of the legionary troops, or the inconsequent fury of a capricious mob, the Prætorian guards no sooner regained the ascendancy, than it became the signal of instant death.

A spectacle like this was calculated to obliterate every vestige of respect and affection, which still connected the colonies with the parent state: while internal distress obliged the republic to recal her troops, and leave the distant provinces to contend unaided against the tremendous storm, which was already gathering in the north.

Under the Roman government, the rude manners of Helvetia lost much of their native ferocity. The arts and elegances of polished life

life accompanied the progress of the victorious legions. Their divinities found their way into the temples of the vanquished, and divided the homage of the suppliant with the indigenous deities of the land. While imitation and observation thus gradually refined the coarseness of the Helvetic character, and almost identified their habits with those of luxurious Rome, the vigour and energy of their minds declined in a proportionable degree. Their pursuits had, also, been directed into a different channel. The love of riches succeeded to the love of fame. But as the commercial spirit extended, the military spirit decayed.

In such a state of things, it could hardly be expected that this degenerate people should oppose a formidable resistance to those swarms of barbarians, before whom the imperial eagle bowed its head. With the destructive violence of a torrent, the frozen regions of the north poured forth their hordes in every direction, where a less rigid climate, or the improvements of civilisation, presented a fairer prospect of comfort than their native snows could afford. Besides, such was the

c 3

behaviour

CHAP. behaviour of Rome toward her dependent  
 I. provinces, that they could hardly be expected  
 to risk much in her defence. Little had they  
 to apprehend from a change of masters.  
 Were it possible indeed that the doctrines of  
 experience should ever prove advantageous  
 in the regulation of political affairs, the history  
 of Rome would exhibit an awful lesson to  
 posterity, and teach them, that though the  
 splendour of military achievements may ex-  
 tend the fame and dominion of the conquerors,  
 still no power is permanent, except that  
 which springs from the affections of the heart.

Among the swarms of barbarians, who ra-  
 vaged the Roman empire after the death of  
 Constantine, the dull chroniclers of the mid-  
 dle ages speak, with terror and admiration,  
 of the gigantic stature and savage ferocity of  
 a people, whom they characterise by the ap-  
 pellation of Burgundians. Under the com-  
 mand of Gundicar, they laid waste the fron-  
 tiers of Gaul and Helvetia with indiscriminate  
 fury. Unable to oppose them in the field,  
 the weak emperors had recourse to that in-  
 glorious policy, which disgraced the decaying  
 empire; and purchased a temporary cessa-  
 tion

tion from hostilities, either by consenting to CHAP. the payment of a tribute, or by dividing their I. territory with the invaders: satisfied in the latter case with a nominal dominion over a people, who were at all times able to dictate laws to their pretended masters. Yet there was something so imposing, even in the fading shadow of declining greatness, that the proud souls of Attila and Theodoric were flattered with the prostituted dignity of *Patrician*, and attached it with inconsiderate vanity to their other honours.

Yet when, by the successful efforts of some extraordinary man, the fall of Rome was suspended, no other source of permanent tranquillity presented itself to that feeble government, except in an alliance with the van- A. D. quished. Thus Ætius, after having termi- 442. nated a brilliant expedition against the Burgundians\*, allowed them to settle in the west of Switzerland; in the country between the Jura, the Reuss, and the Rhone†. By a similar treaty, the Alemanni established themselves in Helvetia, during the reign of Gratian.

\* Guilliman, de Rebus Helveticis.

† Muller.

CHAP. But no sooner had these ferocious tribes obtained a footing in the Roman provinces, than their numbers were continually swelled by fresh inundations from the inexhaustible north. So that whatever stipulations might have been contained in the original treaty, they soon found themselves in a situation to interpret them agreeably to their own caprice; and accordingly, in a few years after their arrival, they became undisputed masters of the whole territory which is situated between the Reuss and the Rhine.

Meanwhile, the Burgundian empire extended with an alarming rapidity. Not long after the establishment of the Burgundians in the western part of Helvetia, Savoy, Dauphiny, and Provence submitted to their yoke. The natives indeed do not appear to have suffered by the change. For the small portion of liberty, which was indulged to them by the Roman præfects, could not easily be curtailed.

In civilised society, the human character is distinguished by the nicest gradations, and most delicate shades. The nature and form of government, religious institutions, commercial establishments, perhaps also topographical



graphical position with respect to climate, CHAP. I.  
are continually operating with such complicated and incalculable influence upon the moral feelings of men, that almost every European nation has it's peculiar and appropriate features in an intellectual, not less than in a physical sense. The Briton, the Frenchman, and the Spaniard, differ not more essentially in the tint of their complexion, than in the bent of their dispositions, and the scale of their mental faculties. The solid sense and steady prudence of the first, proceeding on the sure grounds of calculation and experience, contrast so strongly with the giddy vanity of the second, to which nothing seems impossible, and which frequently embraces a theory merely for it's novelty, that a stranger to mankind would scarcely suppose these contiguous nations to be inhabitants of the same zone. But the dissimilitude is still more striking when we pass the Pyrenean mountains. Every vestige of improvement instantly disappears, and we seem to have travelled back to those dark ages of ignorance and superstition, when pedantry was mistaken for learning, and bigotry passed for religion.

In

CHAP. In savage nations, there is little variety of  
 I. character. Their virtues and their vices are  
 marked by such strong family features, that  
 in portraying the manners of one barbarous  
 tribe, the historian inevitably portrays them  
 all. From the moment that the intelligent  
 reader is apprised, whether their leading oc-  
 cupation consists in the rude labours of hunt-  
 ing, or in the tranquil cares of a pastoral  
 life, he requires no farther information.  
 The outline is instantly filled up, and the  
 picture is complete.

Little therefore remains to be said of the  
 northern invaders, under whatever denomi-  
 nation they are comprised. Goths, Franks,  
 Burgundians, Alemanni, Vandals, and Huns,  
 differed scarcely in any thing but in name.  
 Their progress was accompanied with the  
 same scenes of desolation. All traces of  
 genius and improvement were equally swept  
 away in their march. Gundicar, the Bur-  
 gundian leader, perished in a battle against  
 Attila, near Bâle; and by his premature death  
 exposed the greater part of his dominions to  
 the destructive fury of the conqueror, who  
 451. in his turn was defeated by the Romans,  
 under

under the command of Ætius. The Burgundians, taking advantage of the weakness of their oppressors, again recovered their independence, and chose for their sovereign Gundewick, a descendent of the renowned Atanikar. After his decease, his four sons disputed the succession with a degree of animosity, which is rarely observed, except in family quarrels. Gundibald, the eldest, at length prevailed, and obtained possession of his paternal dominions, to the exclusion of all his brothers.

Hitherto the Roman code had prevailed in all the provinces, which were successively torn away from the declining empire; till unpolished chieftains gradually ventured to deviate from that system, which had so long been held in veneration by mankind, as the model of perfection in the intricate science of jurisprudence. Their own ordinances began now to be substituted in the place of the imperial rescripts, and upon receiving the sanction of the assembled states, acquired the consistency and form of laws. Thus, by degrees, a new scene opens to our view. The proud and majestic fabric of Justinian disappears,

CHAP. appears, and in it's place we behold that

I. motley patchwork of Gothic invention, distinguished by the name of the FEUDAL SYSTEM.

During the reign of Gundibald, that part of Helvetia, which was subject to the Alemanni, was destined once more to change it's master. The victory of *Clovis* (or *Louis*, for the word is radically the same) at Tolbiac \*, was subversive of the Alemannic empire ; and their dominions were thenceforth incorporated in that division of the Gallic empire, which was distinguished by the appellation of *Austrasia*.

496. The annalists of the times, who are fond of ascribing every incident to the miraculous interposition of Providence, assure us that in the heat of battle, while the event of the day still hung in doubtful suspense, Clovis, by a resistless impulse †, lifted up his hands to heaven, covenanting in the most solemn manner to embrace the religion of Jesus, provided fortune should declare in his favour. This votive promise was scarcely uttered, when

\* Now called Zulpich, in the vicinity of Cologne.

† Gregory of Tours.

the

the troops experienced an infusion of irresistible vigour ; and the Alemanni, depressed by supernatural terrors, threw down their arms, exclaiming with common accord, "*King of the Franks, spare thine own people, for henceforth we are thy subjects.*"

Convinced from his own experience of what this warlike people was capable, Clovis had recourse to the most rigorous measures, in order if possible to subdue their spirit, and to obliterate every vestige of their ancient government. With this intent, he divided the lands into fiefs, and conferred them on his most celebrated followers. Not satisfied, however, with depriving the natives of their property, he compelled many of them, whose talents or influence excited his jealousy, to abandon their native country. Thus expired the power of the Alemanni, after having existed for nearly two centuries, an object of apprehension to surrounding nations.

While the Burgundians occupied the western, and the Alemanni the northern provinces of Helvetia, the southern parts were overrun by the Ostrogoths, another tribe of barbarians, though of manners less savage than

CHAP. than those whom we have hitherto described.

I. The Ostrogoths were a people of shepherds: and it is supposed that pastoral life, in some degree, humanises the character of men, even in the rudest stages of society; whereas hunting, which is little better than a continual state of warfare, increases the natural ferocity of their disposition.

No sooner had these uncivilised hordes obtained a settlement in the Roman provinces, than they began to compare the revolting system of polytheism, which they had hitherto followed, with the sublime precepts of the gospel. Yet, disguised and disfigured as it then was by the zeal and ignorance of contending sectaries, the result was still favourable to the cause of truth. They were powerfully struck with the difference, and forsaking the gods of their fathers, embraced the religion of the vanquished. Perhaps the very errors which had crept into the Christian doctrines, contributed in some degree to their propagation. Christianity, under its purer form, might have operated less forcibly on the minds of men, who were sensible to external objects alone, and upon whom abstract theories,

theories, or even practical morality, when **CHAR.**  
 stripped of the gaudy trappings of ostentation **I.**  
 devotion, made little impression. Scarcely  
 had they laid aside the monstrous absurdities  
 of Paganism, and put an end to the calamities  
 of war, than they embarked in hostilities  
 of a different species, though almost equally  
 fatal to the repose of mankind. Polemical controversies  
 succeeded to those of the cuirass and  
 the spear, and were conducted with all the virulence,  
 which personal animosity or interested  
 pride could inspire; while the zeal of the  
 combatants, as is usually the case, increased in  
 direct proportion to their ignorance of the  
 subject about which they contended. Thus  
 were these haughty warriors degraded by  
 monkish cunning from being the arbiters of  
 Europe, into the tools of party, enlisting  
 under the banners of Arius or Athanasius,  
 accordingly as the caprice or the interest of an  
 insinuating confessor induced them to encourage  
 the fashionable innovator of the day.

It has been already observed that Gundibald,  
 after the destruction of his three brothers,  
 united the whole of the Burgundian  
 succession

CHAP. succession in his own person. The melan-

I. choly destiny of those princes exhibits a memorable picture of the inconstancy of fortune, as well as of the ferocity of the age.

Too weak any longer to resist the victor in the field, Godimar retreated to Vienne in Dauphiny, where he shut himself up in a fortress, at that time considered as impregnable. Gundibald pursued him closely, and finding it impossible to succeed by an assault, set fire to the castle. The wretched Godimar, with his whole family, perished in the flames; while the relentless conqueror stood by, a tranquil spectator of the catastrophe.

The fate of Chilperic was scarcely less disastrous: he was taken with his two sons, and beheaded. His two daughters however having escaped from the general proscription, Sedelaide the elder fled for refuge to a convent at Geneva, where she afterward took the veil; while her sister Clotilda was demanded in marriage by Clovis. Gundibald was too sagacious a politician not to penetrate his rival's intentions. He was aware that the warlike Frank would no sooner become master



master of Clotilda's person, than he would lay claim to her patrimonial domain, and back his pretensions by arguments, which it would be difficult, if not impossible, to resist. Yet the alliance was too advantageous to be rejected without some plausible excuse; and this the religion of the Franks appeared to supply. No plea was therefore omitted to convince Clotilda, that her salvation was in danger, if she became the wife of an idolater. In an age of credulity such a menace was alarming; and Gundibald now flattered himself, that the refusal would come from the princess. But the ambassador of Clovis having gained access to the princess, combated her prejudices by considerations of equal weight. He represented to her the splendour of his master's court. He magnified the power of her charms; and painted in the warmest colours the glory which she would acquire by employing them, as instruments in the hand of Providence, for the conversion of an idolatrous king. But, above all, he urged her duty to a murdered parent, which enjoined her to marry a prince, whose formidable power would afford ample means to

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avenge

CHAP. **av**enge his injuries and her own. The result

**I.** of this conversation proved such as might have been expected; for what female heart can resist the united influence of vanity and revenge?

Gundibald was no sooner informed that his niece had accepted the ring of alliance, than awed by the reputation of the potent Frank, he no longer opposed her journey; and Clotilda departed, with all the magnificence of a royal bride, in a waggon drawn by four oxen. On her arrival at the frontiers, she seized the earliest opportunity of indulging one of those passions, which had so strongly contributed to decide her choice\*. Having persuaded her attendants to lay waste the Burgundian territory for the space of twelve miles, she devoutly returned thanks to heaven for having, in one instance at least, gratified her wishes. Clotilda was a princess of exemplary piety, and is much celebrated, on that account, by the monkish historians. Clovis being now in possession of his bride, resolved on recovering the provinces, to which she had a legitimate claim, and being joined by

\* Muller's History of Switzerland.

Godegesilus,

Godegisilus, the younger brother of Gundibald, CHAR. I.  
 he marched against the usurper at the head  
 of a numerous and well-appointed army. The  
 event was favourable to the cause of justice.  
 Gundibald was defeated near Dijon, and 500.  
 obliged to purchase peace by acknowledging  
 himself the vassal of Clovis, and by reinstating  
 Godegisilus in his hereditary dominions.  
 Forced reconciliations are seldom permanent.  
 The Franks were occupied in other conquests,  
 and had little leisure to interfere in the con-  
 cerns of Burgundy. Indignant at his late  
 humiliation, Gundibald was attentive to their  
 motions, and thought the moment favourable  
 for his designs. Having assembled therefore  
 a body of troops in haste, he marched against  
 his defenceless brother; obliged him to take  
 refuge in the citadel of Vienne, and having  
 gained admission into the town by treachery,  
 caused him to be put to death.

Reinstated by this success in the possession  
 of the entire Burgundian empire, he derived  
 so much additional strength from an intimate  
 alliance with Alaric, that Clovis deemed it  
 prudent to suppress his resentment, and to

CHAP. leave him in tranquil enjoyment of all his  
 I. usurpations.

Gundibald now figured among the greatest potentates of his age, and carried his victorious arms into the plains of Lombardy. Notwithstanding the cruelty of his disposition, he merited the fame which he acquired, by great and splendid qualities. Nothing was omitted that could tend to consolidate his power, or to render his kingdom flourishing. The former he effected by an union with Theodoric, King of Italy, one of the most warlike monarchs of his age. The latter was accomplished by the wisdom of his internal regulations. With the advice of those learned men, whom he had attracted to his court by liberal rewards, he formed a new code of laws for the more equal administration of justice\*. Neither was he himself deficient in literary acquirements. As a theological disputant, he gave no despicable proofs of intellectual capacity, considering the country from which he sprung, and the many disadvantages of a barbarian education, and was justly distinguished

\* Lindenbrog. Cod. Leg.

from

from his contemporaries by a successful cultivation of philological studies\*. Syagrius was employed by him in reducing the rude dialect of the Burgundians to the rules of grammar†, About the same period some imperfect ideas of astronomical calculation were introduced into the division of time. The superiority of the Romans in every scientific pursuit did not escape the penetration of the king; and he resolved, in consequence, to meliorate their condition by abolishing those invidious distinctions, which the blind partiality of his predecessor had established between the different classes of his subjects. This project was so repugnant to the prejudices of the Burgundians, that it soon became unpopular. A general opposition took place; and to such a pitch did the spirit of discontent prevail, that in spite of the natural energy of his character, Gundibald was ultimately constrained to yield, nor was he ever able fully to execute his benevolent intentions.

The last act of his reign was to secure the succession to his son. For this purpose, he

\* Ennodius, Vit. Epiphani-Aviti, Epist. 28.

† Cassiod.

CHAP. summoned a general assembly of the states,  
1. in the neighbourhood of Geneva; when  
Sigismund, elevated on a shield, was hailed  
by the shouts and acclamations of applauding  
multitudes as their future king. Gundibald  
did not long survive this ceremony; but  
having out-lived Clovis, and most of the  
heroes of the day, he died at an advanced  
age. Of him it may be said, as of Augustus,  
that his conduct on the throne in some degree  
effaced the recollection of the crimes by which  
it had been obtained.

Sigismund commenced his reign in a manner which inspired his subjects with no high opinion of his talents for government. Upon his father's death, he despatched ambassadors to Constantinople; to inform the emperor Anastasius of his accession, and in the submissive language of vassalage to acknowledge his dependence on the eastern empire. A conduct so different from that of his father was little calculated to please a people, who had imbibed high notions of honour from the example of Gundibald; nor did his subsequent administration tend to eradicate this impression. Sigismund possessed a weak understanding,

standing, and it's too frequent concomitant, a CHAP. I.  
 jealous temper; properties perhaps the most dangerous of any, both to themselves and to their subjects, in those who are called by Providence to the government of mankind. Ostrogotha, the daughter of Theodoric, whom he had married during his father's life, left two children, a son and a daughter, at her death. The king, soon afterward united himself to a person of ignoble extraction, who had attended his former queen in a menial capacity, and who is represented as exercising that unbounded influence, which beauty gives to an artful woman, over the weak mind of a doting husband. No sooner had she children of her own, than she began to view the rising virtues of Sigeric with the malignant eye of a step-mother, and omitted no opportunity of mis-representing his actions. The prince, on his part, treated her with contempt, so that the breach became gradually wider. Having, one day, seen her decorated in the magnificent attire of his deceased mother, he could not refrain from making some severe reflections on the awkward affectation of upstart pride. The queen by chance over-  
 D 4 heard

CHAP. heard him, and from that moment employed

I. every thought to accomplish his destruction.

Her tale was plausible, and the heart of Sigismund, who beheld every object through the false medium of prejudice, was by degrees estranged from his son. Suspicion usurped the place of affection, and he no longer contemplated the noble qualities of Sigeric with the proud satisfaction of an exulting parent. Till at length persuaded that the prince was actually engaged in a conspiracy against his life, he, was prevailed on, in a momentary panic, to sign a warrant for his execution. Sigeric was strangled in his sleep. But the order was scarcely issued, when roused by the horrors of an upbraiding conscience, the misguided father felt all the atrocity of the deed. In vain he wished to recall it. The queen, who knew the weakness of his character, had taken advantage of his fears, and hurried the execution of the sentence. Sigismund now gave way to his remorse: he shut himself up in the monastery of St. Mauritius, there in the humble garb of a penitent to indulge in grief, and by austere penance and rigid devotion to expiate his guilt; vainly hoping to



to atone for want of humanity toward his son, by a complete dereliction of his duties toward his subjects\*.

Indignant at the outrage, which had been offered to his family, Theodoric resolved to take signal vengeance on the guilty. Tolonic, a renowned warrior, was immediately despatched at the head of a formidable army, to invade the Burgundian territory. Neither was Clotilda backward in seizing an opportunity of revenging her father's wrongs on the heir of Gundibald; and her three sons, Clodomir, Clotaire, and Childebert, were prompt to join in an enterprise, the object of which was so congenial to the generous feelings of uncorrupted youth.

Sigismund was not formed by nature to struggle with adversity. Though capable of the most atrocious actions, he was totally destitute of that energy of character, which too frequently gives a deceitful lustre to guilt. Concealed under the habit of a monk, he lay prostrate before the altar, pouring forth lamentations and sighs, and calling upon all the saints for succour, at a time when he

\* Muller's History of Switzerland, L. viii.

ought

CHAP. ought to have been actively employed in arm-

I. ing his subjects against the foreign invader.

But it was his destiny to be every way contemptible: his crimes were those of timidity; his repentance was that of baseness. The enemy advanced without opposition. Abandoned by all, the miserable king was discovered under a mean disguise, dragged from  
529. his sanctuary, and carried prisoner, with his wife and children, to Orleans; where, by command of the confederate princes, they were all thrown together into a well.

On the death of Sigismund, his brother Godimar mounted the throne; and for some time successfully resisted the progress of the invaders \*. But, being at length defeated in a decisive battle, he fell into the hands of the enemy. The Burgundians, now finding themselves destitute of almost every resource, sub-  
534. mitted to the Franks, with the express condition of being governed by their own laws; a privilege, which they actually enjoyed till the reign of Lewis the *Debonaire* \*.

\* Procop. Cassiod.      † Procop. de Bello Goth. I.

## CHAP. II.

*Charlemagne. — Sketch of Manners during the seventh, eighth, and ninth Centuries. — Salic and Ripuarian Codes.*

**T**HERE is no period in history less interesting, or less instructive, than that of the CHAP. II.  
 Franks under the immediate successors of Clovis. It exhibits the human character in its most degrading form, enervated by luxury, and crippled by superstition. On one hand, we behold the throne sullied by every vice, which is the concomitant of a weak and contracted mind. On the other, we contemplate with equal disgust, in the condition of the people, the most frightful picture of ignorance, bigotry, and oppression. But there is a limit, beyond which the irregularities of this world, moral as well as physical, are never suffered to proceed. Such is the wisdom of an all-seeing Providence, that  
 when

CHAP. when our condition seems completely hope-

II. less, a remedy arises out of the very evil itself, and sometimes when we least expect it. The depravity of the reigning dynasty at length excited the scorn and indignation of mankind, and thus ultimately proved the cause of transferring the sceptre to hands formed by nature to support it with credit to themselves, and with advantage to their subjects.

Little indeed is known of this dark period, nor is that little calculated to excite our regret, on account of the almost total deficiency of historical materials, during the sixth and seventh centuries.

We know, indeed, that Burgundian Helvetia was distinguished by the appellation of *Little Burgundy*, or *Burgundiâ Transjurana*; and that it was governed by dukes. But we are entire strangers to the characters of these princes, and are frequently ignorant of their very names.

Dagobert, the successor of Clotaire, reduced the laws of the Franks and Alemanni to a more regular system. Under his descendents, the crown was gradually stripped of almost all it's prerogatives. Immersed in the voluptuous

nious solitude of a palace, the reigning despot CHAP.  
 was invisible to the public eye. Nay, his very ~~II.~~  
 existence might have remained a problem,  
 had he not sometimes awakened from his  
 lethargic effeminacy, to excite the astonish-  
 ment and the indignation of his subjects by  
 the enormity of his crimes. Mean while,  
 every branch of authority, both civil and  
 military, was exercised at the discretion of  
 ministers, so famous in history by the title of  
*Maires du Palais*.

The people, accustomed to direct their  
 homage\* to the ostensible dispensers of every  
 favour, began either to forget that in the

\* The worship of images may be accounted for in  
 nearly the same manner, by supposing them to have  
 been originally intended as symbols of divine power.  
 The ignorance of mankind, by degrees, mistook the  
*type* for the *divinity*. By carrying the same train of  
 ideas a little farther, the whole system of polytheism  
 becomes clear and simple. Minerva, Neptune, Mars,  
 &c. were probably nothing more than attributes of the  
 Supreme Being, (the Ζεύς of mythology, the Ens of Plato,  
 and the Κόσμος of the Stoics) personified by the super-  
 stition of the vulgar, or the fancy of the poet, and not  
 rarely employed by the philosopher to supply the in-  
 adequacy of language in the expression of abstract  
 ideas.

scale

CHAP. scale of power there existed a still higher

II. gradation, or considered that they best deserved the dignity, who best fulfilled the duties, of royalty. Such was the origin of the Carolingian race.

Coeval with the decline of the royal prerogative is the rise of the great feudal nobility, who took advantage of the weakness of a distracted government to render themselves independent in their respective fiefs. From this æra we may trace the origin of many of the most considerable families, which subsequently figured in the annals of Switzerland.

751. Two hundred and eighteen years after the destruction of the Burgundian empire, the descendents of Clovis were publicly deposed in a general assembly of the people, and the sceptre was transferred to Pepin, whose family had long governed the Franks with the delegated authority of *Maires du Palais*. After a long and glorious reign, this successful usurper (for such he in reality was, notwithstanding all the casuistry of papal Rome) transmitted the crown to his two sons, Charles and Carloman; the latter of whom, dying soon after

after his father, in the flower of youth\*, ex-CHAB.  
posed his ambitious brother to some suspicion .II.  
of having contributed to his death†. But  
whatever may have been the means, by which  
Charles was delivered from a troublesome  
competitor‡, they were soon obliterated by  
the wisdom of his institutions, and the bril-  
liancy of his exploits. History indeed pro-  
duces scarcely any character more worthy of  
admiration than the son of Pepin, so well  
known by the honourable and appropriate  
appellation of CHARLEMAGNE. Whether we  
contemplate the magnitude of his designs,  
the extent of his conquests, the variety of his

\* Speaking of the untimely fate of this prince, Gaillard thus expresses himself: "His death delivered France from those tempestuous scenes with which she was menaced by the increasing jealousies of the two brothers." Hist. de Charlemagne, I. 32.

† This report is treated by Schmidt as a mere calumny, III. 14.

‡ Carloman, it is true, left two sons; but the French, who had been long accustomed to be led to battle by a succession of heroes, disdained to submit to the feeble sway of infants. Desirous of sharing in a scene of glory, which his splendid talents taught them to expect, the nobles of Austrasia made a voluntary offer of submitting to Charles, and acknowledged him for their sovereign, Ib.

establishments,

CHAP. establishments, or the sagacity of his measures;

II. whether we consider him under the splendid character of a conqueror; or behold him providing for the future happiness of his subjects by correcting abuses and instituting laws; we shall not, I think, hesitate to assign to him a very distinguished place among those extraordinary personages, whom nature sometimes produces for the improvement and civilisation of an unenlightened age.

Charles has been blamed by many writers for having received the imperial crown from the hands of Leo, an action, by which, he in some degree acknowledged the supremacy of the papal power, and this precedent was undoubtedly appealed to by the ambition of succeeding pontiffs, as establishing a claim of supremacy, productive of the most fatal consequences\*. Eginhard, indeed, assures us that in case Charles had been previously acquainted with Leo's intentions, he would not have been present at the celebration of mass in St Peter's church. Strong in the sentiment of superior greatness, he might, possibly, have despised a vain and ostentatious ceremony, which was

\* Schmidt, III. 37:

accompanied



accompanied with no real advantage. But CHAP. high as our opinion is of his general per- II. spicacity, we can hardly persuade ourselves, that in the plenitude of glory he could so far have dived into futurity, as to foresee the possibility of a time, when the puppet of his own creation (for in fact the Pope was little else) should arrogate a paramount dominion over that power whence his own originated. And in spite of Eginhard's authority, it is nearly as difficult to suppose that he could have been a stranger to the scene which was preparing.

The celebrity of the conqueror's name drew congratulatory embassies from Persia, Mauritania, and Bagdat. An event, which, in the advanced state of modern improvement, would imply no very considerable exertion; but which, when we consider the actual distance, and reflect on the existing difficulties of communication, even between different parts of the same country, becomes truly astonishing.

It is a singular circumstance in the character of this great man, that his mind was equally formed for embracing the whole chain of

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European

CHAP. European politics, on their most extensive scale,

II. and for entering into the minutest details of domestic economy. When occupied in reducing the Saxons, and the heroic Witikind, his vigilant eye was still carefully fixed upon the transactions of Rome; nor did his attention to the affairs of the church, even in the capital of the Christian world, ever divert his attention from the commotions of the north. Immediately after giving audience to the ambassadors of Aaron Al Raschid, or of Irene, he would retire to his cabinet, and investigate with the exactest attention the entire expenses of his household. Nothing was too great for his comprehensive genius; nor was any thing too trifling to attract his notice. It was an invariable rule of his life, personally to examine every concern which could possibly be brought under his personal inspection. The maxim is excellent, but it is seldom practicable in the extensive occupations of a statesman's life, and when adopted by minds of an inferior cast, too often degenerates into a failing\*.

Hitherto

\* This remark was completely exemplified in the person of Joseph II. Born with considerable talents, and a mind

Hitherto we have examined the brilliant side of the portrait. We must now inspect the reverse. Forty years of war were a burden then too great for Charles's dominions, extensive as they were, to support. In some respects, perhaps, his administration was attended rather with external splendour, than with real and permanent advantage. But the most striking blot in his character consists in his treatment of the Saxons. At a more enlightened period\*, it would have been without excuse. To attempt the conversion of an entire people by the sword, is an action no less repugnant to the dictates of common sense, than contradictory to the humane spirit of that religion, which he was so over zealous

mind not insensible to the charms of glory, he ruined his own reputation, and had he lived longer, might have ruined his country by *over-governing*. In commercial establishments, he examined the movements of every separate wheel, instead of attending to the effect and operations of the whole machine. He was a better serjeant, than a general; and was rather suited to become the secretary of a minister, than to be a minister himself.

\* Antiqui Saxones, et omnes Fresonum populi, instante rege Carolo, alios præmiis, et alios *minis* sollicitante, ad fidem Christi conversi sunt.—Will. Malm. I. iv.

CHAP. to propagate. One plea, however, may be  
 II. alleged in his defence, and it will equally  
 apply to all his failings: they were the errors  
 of the age in which he lived, while his virtues  
 were completely his own. Among the co-  
 lonies of vanquished Saxons, which he dis-  
 persed in various parts of the empire, not a  
 few were distributed in the tranquil vallies of  
 Helvetia; and are, even to this day, dis-  
 tinguishable from the original inhabitants by  
 some faint traces of their native dialect, and  
 primeval customs.

The reign of Charlemagne is considered as  
 forming an important epoch in modern his-  
 tory. The manners, laws, and religion of most  
 of the European nations had undergone a  
 material alteration, since the time of the  
 Romans. Besides, by the rapid progress of  
 their arms, the different provinces of Europe  
 began once more to be united by the chain  
 of common dependency, and a more regular  
 system prevailed throughout the whole. It  
 may not therefore be improper to take a hasty  
 view of those parts at least, which are more  
 immediately connected with the present nar-  
 rative, and to examine the various changes,  
 civil,

civil, ecclesiastical, and moral, which accom-  
panied the progress of the FEUDAL SYSTEM. CHAP. II.

Under the Romans, the government was purely military. Military it still continued to be under the successors of Clovis, though totally different in its nature. The whole system of war was entirely changed; and we should form a very erroneous idea of the armies which fought under the Merovingian princes, were we to look for the exact discipline displayed by the legionary troops in the proud days of Roman glory. Of the art of defence they were wholly ignorant. The event of a battle was almost always decided by the valour of the soldiers; scarcely ever by the skill of the general. Were we more intimately acquainted indeed with the boasted heroes of those dark ages, we should probably discover that *personal courage* was, in general, the source whence their reputation arose. The brutal valour of Ajax we may find in many: The refined policy of Ulysses can be traced in none.

Under the immediate predecessors of Charlemagne, military discipline had certainly made some material steps toward improvement.

CHAP. ment. The ferocious ambition of the Mero-

II. vingian princes kept the sword continually unsheathed. But their quarrels were rather family feuds, than national contests. The public took little or no interest in their disputes, but beheld the rise or fall of a tyrant with the sullen apathy of slaves. The bolder policy of the *Maires du Palais* opened a wider field for ambition. The violent animosities, which subsisted between the rival powers of Austrasia and Neustrasia, may therefore, in many respects, be considered as civil wars. One part of the empire was armed against the other. The spirit of faction ran high; and the pride and vanity of the soldier became interested in the success of his leader.

The national character was, also, considerably changed. Yet, if we expect to find much amendment in this respect, we shall be cruelly deceived. The wants of society were increased; but their manners had certainly made very little progress toward refinement. Regretting the rude and boisterous pleasures of a savage life, which they had been compelled to abandon, they were as yet incapable of tasting the elegant enjoyments of a more polished

polished state\*. The small portion of taste, CHAP. which had found it's way into the nation, was II. exclusively confined to the higher classes. A greater inequality had arisen in the distribution of wealth. But the situation of the rich was far from having proportionally improved, though that of the poor was become incomparably more wretched.

The manners of a court may in general be taken as a pretty fair criterion of the national character, at least in point of refinement†. Some degree of elegance may indeed be

\* By the express command of the emperor, the bishops were obliged to institute cathedral schools in their metropolitan city, as a preparation for holy orders. Mosheim, (by Macclaine, edit. 1806) II. 466.

† The foundation of the *Palatine Schools*, for the education of the young nobility, evinces the zeal of Charlemagne for the cultivation of letters. But unfortunately for mankind, his benevolent intentions were not crowned with success. This however will appear less surprising, when we examine the method that was pursued. The whole circle of the sciences consisted in what was then termed the *seven liberal arts*; viz. grammar, rhetoric, logic, arithmetic, music, geometry, and astronomy. The three former, which were called *trivium*, were taught in all public seminaries: while the latter, under the appellation of *quadrivium*, were attempted by those alone who aspired to the reputation of superior learning. Mosheim, II. p. 463.

CHAP. visible in the capital, though the people are

II. only just emerging from a state of barbarism.

But, if a palace be disfigured with coarse licentiousness and rude brutality, we may unhesitatingly pronounce the habits of the lower orders savage and uncouth. In the conduct of the Merovingian princes, we trace a series of atrocities, scarcely to be equalled in the annals of the world. The country, over which they presided, was the seat of plunder, of rape, and of murder.

*Panem et Circenses* was the popular cry of the degenerate Romans. The passion for war and hunting was equally violent among the Germans. Such indeed was their attachment to these favourite amusements, that particular precautions were employed against perjury in all judicial trials, where either hawks or dogs were concerned. St. Bonifacius openly reproaches the clergy with neglect of duty, while occupied in the pleasures of the chase: in another ordinance he forbids, under severe penalties, that either *dogs or hawks should be kept for the diversion of the nuns*\*.

Drunkenness was also a vice, to which the

\* Schmidt, III.



age was peculiarly addicted. Charlemagne, CHAP. II.  
 who was by nature sober, and had acquired  
 from his intercourse with foreign people the  
 strongest detestation for this degrading habit,  
 took great pains to abolish it. For this pur-  
 pose he discouraged those frequent and nu-  
 merous meetings, which under the title of  
*fraternities* served as pretexts to indulge in  
 this favourite excess. Many of these societies  
 were of pagan institution, and had originally  
 been distinguished by the appellation of some  
 heathen divinity, under whose immediate pa-  
 tronage they were placed: and the introduc-  
 tion of a new religion, changed the name of  
 their patron\* (who was now selected from the  
 Christian calendar, instead of being taken  
 from the more jovial deities of antiquity†)  
 though it produced no material change in the  
 pursuits and habits of the members.

In his third *capitular*, Charlemagne ex-  
 pressly forbids the receiving of the testimony  
 of a drunkard in a court of justice; and  
 farther enacts, that the *Count* is never to ap-  
 pear in his tribunal, *unless he be sober*‡.

\* Schmidt, III.

† Id. ib.

‡ Ib. 159.

CHAP. It was the constant object of his care to  
 11. set bounds to the oppressive conduct of the  
 great nobility. Yet, in spite of all his endeavours, the evil was too deeply rooted to be easily eradicated; and we not only meet with instances of the most unbounded despotism, in the behaviour of the barons toward their vassals, but frequently behold them waging war against each other, in open defiance of the royal authority. Repeated ordinances demonstrate at once his zeal in the cause of humanity, and the inefficacy of his exertions.

Neither was he more successful in his efforts to abolish a custom, which had long prevailed among the Germans, of always appearing in armour. Every prejudice combined to oppose him. Even the ecclesiastics themselves were so strongly tinctured with this martial spirit, that they actually made a merit of attending a council at Mentz, in the humble garb of Christian pastors. “ *We* (these are their very words) *We, who in our character of prelates have renounced every worldly concern, consent to lay aside all secular weapons, confining ourselves entirely to* “ *those*

“ *those of the church. But we cannot take* CHAP.  
 “ *upon ourselves to advise the laity to abandon* II.  
 “ *the use of arms. IT WAS THE USAGE*  
 “ *OF OUR ANCESTORS, and WAS BY THEM*  
 “ *TRANSMITTED TO US\*.*”

Under the immediate successors of Charle-  
 magne every salutary restraint was removed,  
 while guilt stalked boldly in the face of day,  
 without the shadow of disguise. In 847, an  
 imperial rescript appeared, forbidding mur-  
 thers or robbery under the severest penalties,  
*which had hitherto been regarded as the le-*  
*gitimate privilege of the great†.* But of how  
 little avail all these regulations proved, may  
 be collected from the following declaration,  
 published by an ecclesiastical synod assembled  
 at Mentz in 888. “ Who can behold with  
 “ dry eyes” (exclaim the prelates) “ our  
 “ churches ruined, their altars overturned,  
 “ their plate stolen, their priests murdered‡,  
 “ and the faithful thus deprived of the ad-  
 “ vantage of all religious ceremonies?” Allow-  
 ing for the exaggerated style of declamation,

\* Schmidt, III. 161,

† Quasi jure legitimo. Baluz. II. 42.

‡ Harzheim. Conc. Germ. II. 369.

what

CHAP. what a picture of horrors have we here?

II. But it was an age of unbounded licentiousness. We have instances of princesses being forcibly carried away from their father's palace, and compelled to marry the ravisher \*. We find a king causing his son to be deprived of sight, for having refused to continue in the ecclesiastical profession, which he had been compelled to embrace, in direct contradiction to his own inclination. Even Charlemagne himself thought it right publicly to exhort his sons, *not to condemn their nephews to death without a legal trial; nor to maim them—to put out their eyes, or to force them to enter into a monastic life without their consent.*

Profligacy of morals is said to have prevailed to such a degree, that Dagobert had three wives at the same time, each of whom bore the title of queen. But the greatest calamity was the total defect of probity and honour. At no period of the world were oaths in such frequent use, nor accompanied with such imposing solemnity; and yet at no

\* Giselbert carried off the daughter of the emperor Lothaire. Boson forced away the daughter of Lewis II. Many similar instances might be adduced. Annal. Fuld.

period

period were promises so little binding. Vopiscus, speaking of the Franks, uses these memorable words; *they wear a smile on their countenances, even while they are meditating the blackest treachery* \*. Procopius considers their want of faith as proverbial. Gregory of Tours abounds with anecdotes of their perfidious character; and in this instance, at least, we have little reason to doubt his veracity. Having occasion to mention Guntram, he adds; “ Though in other respects a *good sort of man*, yet he was so addicted to falsehood, that he scarcely ever took an oath, which he did not immediately break †.” So that among the ancient Franks it was possible to be guilty of the blackest perjury, and still to enjoy the reputation of a *good sort of man*. Goodness indeed, when taken in this sense, is a quality which has been shamefully prostituted in every age; but the most lax of modern moralists would have blushed to lavish it upon so unworthy an object.

\* Bell. Goth. 27.

† Guntramms vers *alias sane bonus*, nam ad perjurium nimium præparatus erat veruntamen nulli amicorum sacramentum dedit, quod non protinus omisisset. Greg. Tur. l. v. c. 14.

During

CHAP. During the seventh and eighth centuries,

II. the whole science of jurisprudence consisted in devising new ceremonies, to increase the sanctity of an oath. The discovery of a *relic* was regarded, therefore, as of scarcely less importance in a *judicial*, than in a *religious* light\*. The arm of government was supposed to acquire additional strength, not less than that which it now derives from a new and more compulsory law. Great, indeed, was the veneration for saints and martyrs, who were believed to be personally interested in the respect shown to the mouldy remains of their corporeal existence; nor was it doubted that they revenged every instance of disregard, by an immediate manifestation of their displeasure. Thus, when an oath was to be administered, the person, who took it, held in his hand a tooth or bone or other sacred fragment of martyrology. Sometimes, he was conducted to the grave of the most fashionable saint, in hopes that the peculiar sanctity of the spot might inspire additional awe. But, if the affair in question was of a nature to require more than common investi-

\* Schmidt, Geschichte der Deutschen, II. vi.

gation,

gation, he was carried on a kind of religious CHAP. pilgrimage to visit the most celebrated shrines, II. at every one of which he was to renew the asseveration of his innocence. Yet it frequently happened, that all these precautions proved ineffectual; for the man, who had so little regard to honesty, as to deceive the inhabitants of this world, was seldom found to show much respect toward those of the other\*. When in contradiction to the most solemn promise Chilperic went to Paris, he was most religiously scrupulous in his devotions to every popular relic; hoping by his assiduities to conciliate the favour of those holy personages, whom he had offended by his perjury. Ebroin, also, when he publicly swore to respect the sacred character of the Austrasian Duke, if he should venture within the Neustrasian territory, had the precaution previously to remove the relics out of the case in which they were usually inclosed; flattering himself, by this pious fraud, to escape the punishment, which he believed he should otherwise have incurred.

The superstition and credulity of the times

\* Gregory of Tours.

CHAP. are thus described by the celebrated Agabard,  
 II. who was Archbishop of Lyons, during the  
 reign of Lewis the *Debonaire*. "The Christians  
 of our days, (says he) swallow down ab-  
 surdities, at which the Pagans themselves  
 would have revolted." He then proceeds to  
 adduce a variety of instances in support of  
 his assertion, and among others the popular  
 opinion, that there were *men endowed with  
 the power of raising storms, and directing the  
 elements\**.

Pilgrimages also were much in use†, and  
 regarded as highly efficacious. Even the  
 strong mind of Charlemagne had imbibed a  
 taint of this prevailing prejudice. In all  
 probability, his frequent journies to Rome  
 were not entirely dictated by political motives,  
 though he had the good sense never to lose  
 sight of his temporal interests, from a blind  
 attachment to superstition. Various heathen  
 ceremonies found their way into the Christian  
 church, which are easily traced to their ori-  
 ginal source, in spite of their new disguise.

\* A factitious tempest was styled *aura levatitia*, and  
 the person possessing the faculty of exciting it, *tempest-  
 arius*.

† Mosheim, II. 249.

Instead



Instead of consulting the flight of birds, or examining the palpitating entrails of the slaughtered bull, substitutes not less irrational were found by which credulity attempted to explore the issues of futurity. One species of divination, denominated *sortes sanctorum*, consisted in opening the Bible at random, and reading the first verse which caught the eye; the sense of this was transferred to the event in question, and considered as a satisfactory interpretation. Clovis, having accidentally directed his march toward Tours, sent some of his officers into the cathedral, where the body of St. Martin reposed, in hopes that the respect which he had shown for the patrimony of that saint, might tempt him by some visible sign to indicate the result of his expedition. As they entered the church, the canons were chanting the following verse, *præcinxisti me, Domine, ad bellum; supplantasti insurgentes in me subtus me, & inimicorum meorum dedisti mihi dorsum*. The meaning was evident. Clovis was satisfied, and returning thanks to the holy martyr for this favourable intimation of the divine will, marched intrepidly against

VOL. I.

F

Alaric,

CHAP. Alaric\*, when the issue of the battle fully

II. corroborated the testimony of the saint.

The extreme ignorance of the times rendered it almost impossible to meet with persons properly qualified for the exercise of religious functions\*. Even under the monastic habit, and at the very foot of the altar, we discover the same spirit of licentiousness, which prevailed so generally among the laity. The meekness and benevolence of the Christian character, though admired in theory, were utterly excluded from practice. Nor were the appropriate duties of the ecclesiastical profession suspected even to exist. Instead of comforting the afflicted, visiting the sick, and administering the balm of consolation to a troubled conscience, gaming and hunting formed the sole occupations of the clergy\*.

\* Gregory of Tours, II. xxvii.

† The most learned confined themselves entirely to the study of St. Augustin and St. Gregory; and it is from passages selected out of those authors, and thrown together in heterogeneous confusion, that the best productions of the seventh century are compiled. Many of the bishops were so illiterate as to be utterly incapable of composing the insipid homilies, in which they addressed their still more ignorant congregations. Mosheim.

‡ Schmidt.

By

By degrees they put on the cuirass, and led their vassals in person into the field. We must not however be induced, by our reverence toward living examples of morality and devotion, to imagine that the sword of the church was invariably drawn in the cause of justice, or in defence of injured innocence. Interest, ambition, and party spirit, were not less active in stimulating the ecclesiastical than the secular knight to arms. Neither was their religion of a purer cast. The miracles of the Gospel were frequently engrafted on Pagan fables, and formed an incongruous mixture, combining occasionally the elegant mythology of Rome with the rude system of Polytheism which prevailed among the barbarians of the north.

Few causes seem to have operated more powerfully in retarding the progress of improvement, than the prejudice which universally prevailed against every thing that was of the growth of Rome. This antipathy was so strong, that the most useful inventions would have been immediately rejected if borrowed from a Roman model. It is probable, indeed, that all remains of taste and literature would have irretrievably perished,

F 2

except

CHAP. except for the custom (nearly general in all

II. religious houses) of allotting a certain number of hours to the daily discharge of some manual occupation. The wish of diversifying their labours induced them sometimes to transcribe those Latin manuscripts, which accidentally fell into their hands; and this accounts at once for the numbers, and the inaccuracy of ancient copies. Such too was the ignorance of the clergy, that regulations still exist, prohibiting the reception of any person into holy orders, unless he had been previously taught to read.

Of the taste and genius of the times, some opinion may be formed from the works of the old chroniclers. Even Gregory of Tours displays such excessive credulity, and so strong a predilection for the marvellous, that it is no easy task to select from his writings materials worthy the attention of an enlightened reader. The human understanding (says Fredigar) evidently suffers from the general decay of nature. So that it would be in vain for a writer of *our age* to aspire to the genius of men, who flourished when *the world was in the full vigour of youth.*

It

It may appear paradoxical to affirm, that the situation of the people was deteriorated, in proportion as the prerogatives of the crown were circumscribed. The remark however, as a little attention will evince, is correctly true. In the days of Clovis, the word *people*\* was a term of distinction. "*Our people*," says this rude warrior in a letter to one of his bishops, after the battle of Poitiers "desire, that when you claim any of their prisoners, under pretence that they are vassals of the church, you would substantiate the demand upon oath." In more modern times, a sovereign would in all probability have substituted *we*, for *our people*. Nothing besides can be clearer, than that the people were always consulted in the division of the spoil; and that the prince dared not to dispose of any part of it, *without their consent*. But, as the feudal system gained ground, the power of the barons increased; while the privileges of their vassals gradually dwindled away till they sunk into mere ciphers; the body of the people were considered in no other light, than that of so much live

\* Schmidt, II. vii.

CHAP. stock, attached to the glebe which they cul-

II. tivated. In process of time, the great nobility became so formidable, that the sovereign was unable to carry on a war of which they did not approve; and it was not uncommon for them to desert the royal standard, as soon as the hope of plunder had ceased. This spirit of insubordination and self-interest deserves particular notice, as it serves to throw some additional light upon the failure of many important expeditions, for which it would be otherwise difficult to account. Terrified at the increasing influence of the aristocracy, the short-sighted monarchs had recourse to a remedy, which eventually proved still more fatal to their authority, than the disease which they sought to remove. They chose one of the most powerful barons, and loaded him with favours; hoping, under shelter of his protecting arm, to awe his rivals into submission. Having united the highest military command to the administration of justice, the *maires du palais* soon acquired a degree of authority, which totally eclipsed that of their royal principal. The ambition and jealousy of these haughty ministers proved the sources of incessant contests

tests between the rival nations of Austrasia and Neustrasia: while their boundless prodigality toward the chiefs of their own faction, so completely exhausted the royal revenue, that Charles Martel was reduced to the necessity of granting ecclesiastical benefices to various lay-lords, as a means of satisfying their avidity; this being the only branch of revenue which had been left untouched by his predecessors. These gifts were commonly made on the usual conditions of feudal tenures, and were thus gradually converted into military fiefs. The abuses, arising from this system, were enormous. Many of these nominal prelates were married, to the great scandal of the church. Neither was their way of life in any respect different from that of the lay-barons, from whom they were distinguished by their professional habit alone, which in compliance with vulgar prejudice, they sometimes condescended to wear. It is thus only, that we are able to explain that martial spirit, which found its way into the ecclesiastical profession, to the utter subversion of decency, morality, and social order.

Though the crown was in a great measure

CHAP. hereditary \*, yet among the northern nations

II. the *consent of the people* was universally regarded as a necessary preliminary. No sooner had the reigning monarch decided on the division of his states, than a national assembly was convened, in which the prince or princes, destined to succeed, were elevated upon a shield, and publicly acknowledged as the legitimate heirs.

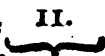
We find, from the ancient annalists, that Pepin was *anointed and crowned*. Since they do not mention this however as a new ceremony, we may fairly infer, that it was no innovation, but had been practised at the accession of other monarchs before his time.

A kingdom was divided into a certain number of *districts* (called *pagi*), each of which was under the immediate jurisdiction of a *count*. Several of those combined constituted a *province*, and were subject to the superintendence of a *duke*. The duties of these offices may be sufficiently understood from † a patent,

\* It seems to have been entirely so with respect to the reigning *family*, though it did not always *personally* descend according to the direct line of succession.

† *Præcipue regalis in hoc perfecta conlaudatur clementia,*



patent, which is preserved by Marculfus. CHAP. II. 

Indeed, there appears to be little difference in the two offices, except as to the extent of territory over which they respectively presided. A duke had, usually, several counts subject to his authority; though there are instances in which the latter appear to have been liable only to the control of royalty, without the intervention of any intermediate magistrate. From all existing documents it is evident, that the word *count* was merely an official distinction, and not an hereditary

mentia, ut inter cunctum populum bonitas et vigilantia requiratur personarum. Nec facile cuilibet *judiciariam* convenit committere *dignitatem*, nisi prius *fides* et *strenuitas* videntur esse probatæ. Ergo dum et fidem & utilitatem tuam videmur hac e re compertam ideo actionem *comitatus*, *ducatûs*, *patriciatûs* in pago illo, quam antecessor tuus ille usque nunc visus est egisse, tibi ad agendum, regendumque commisimus. Ita ut semper erga regimen nostrum fidem illibatam custodias, & omnes populi ibidem commanentes, tam *Franci*, *Romani*, *Burgundiones*, vel reliquæ nationes sub tuo regimine degent & moderentur, et eos recto tramite secundum legem consuetudinem eorum regas. Viduis & pupillis maximus defensor apparens. *Latronum scelera* a te reprimantur; et populi bene viventes, sub tuo regimine gaudentes, debeant consistere quieti. Et quidquid de ipsa actione in *fisci* ditionibus speratur, per vosmet ipsos singulis annis nostris *arariis* inferatur. Marc. i. 6.

title,

**CHAP. title,** attached to a particular fief. The

**II.** qualifications, deemed requisite for this important charge, consisted in loyalty and courage. The first of these was of the greatest consequence at a period when civil feuds predominated with unbounded licence. The latter was the appropriate character of knight-hood, and was regarded as the type of every virtue. Neither of these offices were hereditary in their origin. Gregory of Tours speaks of a certain Pænius, who sent his son Mammolus to the court of one of the Merovingian princes with a sum of money, in order to purchase the renewal of his father's charge, which was then about to expire. He further informs us, that the young man by a dexterous disbursement of the gold intrusted to him, procured the grant for himself. This circumstance may serve to convince us, that the science of intrigue is not altogether of modern invention. It is by no means easy indeed to fix the exact period when such employments became hereditary. Many instances are to be met with in Gregory of Tours, of both dukes and counts having been removed. But cases of this nature appear in general to have been

been regarded as signal marks of royal displeasure, and were by no means common.

CHAP.

II.

To acquire an adequate idea of the form of government established in those dark ages, it will be requisite to take a hasty view of the different codes, which prevailed among the northern nations. And as these have, in a great measure, served as bases for the more perfect superstructures of modern jurisprudence, the inquiry cannot be deemed altogether nugatory.

It has been an object of laborious, and not very successful investigation to the antiquary, to trace the origin of the words *Salic* and *Ripuarian*. The definitions of the former are no less various, than they are fanciful and inconclusive. The latter is probably derived from the Latin word *riparius*, as it relates to a people who inhabited the banks of the Rhine, the Moselle, and the Schelde. It requires but little penetration to discover, that both the *Ripuarian* and *Salic* codes originated among a people who were subject to the errors of Paganism\*. They were subsequently reformed by the first Christian princes, till they

\* Schmidt, II. viii.

were

CHAP. were purged from their most striking absurdities, and rendered, if not agreeable, at least not repugnant to their newly-adopted faith.

## II.

It is true that the most ancient manuscript copies of these codes with which we are acquainted are all in the Roman tongue; yet from the frequency of their striking allusions to German manners, many ingenious critics have been induced to suspect, that they were originally composed in that language; while national vanity is flattered by the idea, that they may serve to contradict the picture drawn by Tacitus, of the rude state of society among their early progenitors.

It is far from our intention minutely to examine the merits or demerits of those celebrated systems, which have so ably been elucidated by a more eloquent pen. We shall confine ourselves to a few cursory remarks, which may conduce to illustrate the subsequent pages.

Perhaps no stronger argument can be adduced to show the inefficacy of all civil institutions for the preservation of peace, in a rude and barbarous age, than the various provisions which so frequently occur, in the Salic and Ripuarian

Ripuarian codes, for the termination of private quarrels. In more polished nations, the law announces itself in an authoritative tone. CHAP. II.

Among the early Germans, it assumed the language of persuasion, rather than that of command. Hence, in cases of homicide, it was more the object of the judge to pacify the relations of the deceased, than to punish the criminal; to prevent the fatal consequences of family feuds, than to revenge the injury which had been committed against society. The following anecdote is related by Gregory of Tours \*. A young man of Tournai, indignant at the ill-treatment which his sister had received from her husband, fell upon him with the assistance of a select party of friends, and murdered him with many of his attendants. The affray however was of so desperate a nature, that the youth himself, together with several of his companions, was slain in the struggle. It might now have been supposed, that the spirit of revenge was amply satisfied; but this was by no means the case. The honour of the deceased required a more copious

\* X. xxvii.

effusion

CHAP. effusion of blood. The relations and depen-

II. dents armed on both sides. Not a night passed but the citizens of Tournai were alarmed with the shrieks of murder, and the clash of swords. Not a morning dawned, but they were shocked with the horrid spectacle of some friend, or relative, borne lifeless to the grave. Fredegunde, who to the disgrace of humanity, and of the female character, at that time reigned over a part of France, left nothing unattempted to appease their resentment. But finding every effort ineffectual, she embraced a resolution, which while it displays the ferocity of her own disposition, evinces the weakness of the civil arm. Having invited the principal adherents of both factions to a splendid entertainment, under the specious pretence of promoting a reconciliation, she plied them with wine, till they were incapable of resistance, and then caused them to be massacred in cold blood.

One of the most crying abuses of the Ripurian and Salic codes was the spirit of venality which they countenanced. Every crime was redeemable by a fine. The lives and members of men were taxed according to their rank

rank and profession, though these are in many cases in an inverse proportion to their real value; an arm or a leg being certainly of greater consequence to a peasant than to a priest. Thus a tariff existed, by which a man was always certain at what expense he might infringe the rights, or mutilate the bodies, of his fellow-creatures. A Frank was rated at twice as much as a Roman. What a degradation to the vanity of that once proud republic! and what a train of reflections might not this circumstance excite, in a philosophic mind, on the instability of human greatness. In this respect, at least, the Burgundians and Visigoths were more equitable. Murder among them was punishable with death, without the invidious distinction either of nation, or of condition.

The absurdities, and inconsistencies of the *ordeal* trials are too familiar to every reader to require any additional comment. That by *single combat* appears to have been of Burgundian origin \*, and to have migrated from them

\* The most ancient example of a duel being legalized by royal mandate, is in the reign of Gundibald, king of Burgundy. Voltaire, Hist. Generale.

to

CHAP. to the surrounding barbarians \*. This savage

II. custom was unknown to the ancients. Caesar informs us, that two centurions in his army, being jealous of each other, agreed to decide the quarrel by arms : not however by embroiling their swords in each other's blood, but by performing the most brilliant exploits in the service of their country. The trial was to take place, during the approaching battle. After performing prodigies of valour, one of them fell covered with wounds, and was upon the point of being taken prisoner; when his rival rushed to his assistance, and rescued him from the enemy. Such were the duels of Rome! Among the Franks, the sovereign seems to have presided in person in the public courts; and to have regarded the administration of justice as the most sacred and most important act of regal authority. By some of the old German writers, indeed, the Latin word

\* Most of the ancient law-books abound with cases which are to be decided by duel. Women and priests appointed champions to defend their cause, and thus revenged themselves by proxy. But there are not wanting instances, where the latter have fought in Person. Voltaine, *ibid.*

*regere*



*regere* is translated by that of *judge*. The CHAP.  
king *judges*, instead of *governs*. II.

Subordinate to the royal tribunal alone, were those of the dukes and counts; who held the second rank in the scale of magistracy. Their office is frequently termed *dignitas judicaria*, a title which clearly proves, that their civil functions were in the highest estimation. Whenever \* they were prevented from personal attendance, or possibly when the suit, or the litigants, were too inconsiderable to merit the notice of such dignified personages, they were represented by their *vicars*; from whose sentence there was an appeal to the chief magistrate in person.

In order to render the proceedings more public, and to facilitate the appearance of a greater number of witnesses, the tribunals were usually erected in the open air. For in cases where purgation by oath was necessary, such precautions were indispensable. Many of the spots, dedicated to this purpose, are even now to be traced in the etymology of the names of various German towns. No judge was

\* Schmidt, II. viii.

CHAP. allowed to determine a cause, unless his shield

II. lay by him. In the order of hearing processes, a decided preference was invariably given to the widow, the orphan, and the church. The laws were few and simple, and in a great degree dependent on the feelings of the magistrate. So that the tedious and expensive forms of modern jurisprudence were unnecessary, and unknown.

By the Salic law females were incapable of succeeding to a military fief; a custom not devoid of plausibility, when personal service was the characteristic of feudal dependence. But among the Burgundians, and Alemanni, this usage was never introduced.

No contributions were paid to government, but such as were voluntary, and under the title of *free gifts*. Military service was however a most grievous burthen, in an age when the prince was involved in perpetual wars, and the vassal was obliged to take the field at his own expense. Yet still the revenues of the sovereign were far more ample than might have been expected. The sources from which they arose were the crown-lands, voluntary donations, and a considerable share in a fines and

and forfeitures ; which, when misdemeanors of every description were subject to a pecuniary mulct, afforded no despicable resource. CHAP. II.

No sooner had the Franks over-run the greater part of Germany, than they seriously occupied themselves in the salutary task of reducing into a regular form those local customs which had hitherto supplied the place of laws. We are informed that Theodoric, the son of Clovis, assembled the most enlightened of his subjects at Châlons, for the express purpose of collecting the laws of the Franks, the Alemanni, and the Bavarians. Having reviewed the code when complete, he made such alterations as he thought most conducive to the welfare of his subjects, or to the support of his own authority ; expunging those clauses which were repugnant to his confined ideas of Christianity. Childebert persevered in the same holy work, waging war against the errors of Paganism with a spirit of acrimony which would have done honour to a monk. Clotaire II. had the credit of completing it, and merited by his zeal the encomiums of the church. This ardour for religion appears, however, to have been the only claim which

CHAP. he possessed to the reputation of virtue ; but  
 II. prodigality to the clergy was, in those days,  
 considered as a sufficient apology for every  
 crime.

From various passages in those celebrated codes we may trace the original character of the Germans as described by Tacitus\*. Their predominant passions, hunting and war, are manifest in the numerous edicts promulgated for the preservation of game, and in the high value attached to every animal which was in any way conducive to the sports of the field. A hound, according to the Alemannic tariff, was rated twelve times higher than a cow †, and double the price of a horse ; a hawk was equal to two serfs, &c.‡

Agriculture, though far from being carried to any tolerable degree of perfection, had un-

\* In the ancient Thuringian dialect a *lance* and a *man* were synonymous terms, as were a *distaff* and a *woman*: *war* being regarded as the occupation of the one, and *spinning* as that of the other.

† Schmidt, II. viii.

‡ The same spirit of feudal tyranny may be traced even in the British code. To steal a hawk, according to Blackstone, is *felony*, both by the common and the statute law. II. xxv.

doubtedly

doubtedly made a considerable progress since the days of Tacitus. We even find several processes instituted to obtain the restitution of contested property. This circumstance proves, at least, that land was now become an object of general concern; an opinion which is still farther confirmed by observing, that the demarcation and division of farms were ascertained with some degree of accuracy; and that certain formalities were used in the sale and purchase of estates. All these are considerable steps toward civilisation.

Grazing was in still higher repute, particularly in the mountainous districts, if we may be allowed to judge from the wages given to those who were employed in pastoral occupations. The pay of a shepherd, or swineherd, was equal to that of a cook; of a marshal, who had the inspection over twelve horses; of a seneschal, who overlooked the same number of servants; or of a smith. From this we may collect the high value attached by the Germans to their flocks and herds, or their total indifference for a good dinner.

War was the only occupation proper for free men, an honour too great for the degraded condition

CHAP. condition of a serf. This, perhaps, was one  
 II. of the most active causes of the immense population of the northern nations. Manufactures, war, and commerce are a continual drain upon a polished people. In many countries, also the impossibility of supporting a numerous family is a fatal impediment to marriage \*. But in those days of plenty, when an increase of children was justly regarded to be an increase of wealth, when health and vigour were the characteristics of youth, and men were not sunk into premature decrepitude by the necessary excesses of continual labour; population flourished to a degree which appears almost incredible to us who have been accustomed from our cradles to a different scene.

In proportion however as the habits of life assumed a more polished form, and a greater inequality prevailed in the distribution of wealth, the condition of the lower classes became gradually less comfortable. This

\* The leading position of Mr. Malthus, in his Essay on the Principle of Population, that mankind cannot live without eating, however novel in theory, has at least the merit of being practically old.

position

position may at first sight be deemed paradoxical, yet it will be found upon examination to be true. At a time when \* tradesmen and mechanics did not as yet constitute a distinct class in society, all the various toils, requisite for the convenience or comfort of the Lord, were performed by his serfs. By them were the stones brought, and hewn, which were employed in building his castle; by them were the timbers prepared; by them was the mansion erected. Works of this nature were no inconsiderable burthen, in an age when those ingenious discoveries, which facilitate labour, were unknown; and when the summit of a hill was usually chosen for the proud abode of aristocracy: a custom which was almost universal under the Merovingian and Carolingian kings, as may be inferred from the

\* In the time of Charlemagne there was not a single clock in the whole extent of his empire. But it was customary for every community to pay one or more persons whose business it was to cry the hours during night; a custom still existing in this country, and in many parts of Germany. It was usual also to compute time by nights, and not by days; and hence were borrowed the words *se'nnight*, *fortnight*, &c. Voltaire, *Essai sur l'Histoire*.

CHAP. frequent ruins still to be met with in Germany  
II. and Switzerland.

From a law of the Alemanni we may form an opinion of the martial spirit of that people, and of the imperfect ideas which they entertained of justice. It enacts the punishment of a son who shall take arms against his father, and dispossess him of any of his fiefs, *while he is in a situation to bear arms, to mount on horseback, or to render competent service to the king.* By this clause it appears, that from the moment a man was grown incapable of performing his warlike exercises, he was looked upon as *dead* in the eye of the law, just as he becomes so in modern times by taking the monastic vows.

The superstition of the age requires no farther illustration, than what may be derived from the provisions of the law against sorcery, incantations, and witchcraft. The interference of evil spirits, enchanted arms, magic spells; in a word, every absurdity which ignorance could devise, or credulity swallow, were regarded as objects of sufficient weight to occupy the attention of the legislator, and excite the vigilance of the sovereign.

A prejudice



A prejudice not less fatal threw all the commerce of Europe into the hands of the Jews: while the excessive duties imposed by every petty prince at the frontiers of his little territory, operated with continual force to the utter annihilation of all useful traffic. By raising the price of every article of consumption, which was not the produce of his own domain, he thus placed most of the conveniences of life entirely out of the reach of the generality of mankind. With regard to the sciences of philosophy, natural history, astronomy, and medicine, it would be in vain to search for them, in a systematic form at least, in those remote ages; since, with the exception of a few solitary instances (such as Petrarch, Roger Bacon, &c.) they are almost entirely restricted to the three last centuries.

The tranquillity which prevailed almost universally during the reign of Charlemagne, and which continued in Switzerland for a considerable time after his death, proved extremely favourable to the progress of agriculture, and contributed to introduce a less ferocious system into the habits and manners of society. We learn that about this period the vine began to be

CHAP. be planted on the southern and western sides

**II.** of the most sheltered hills; and gradually spread itself in proportion as the forests of Germany fell beneath the axe of industry, and its morasses yielded to the spade of cultivation. The mansions of the nobility likewise assumed a more commodious aspect; nor was defence any longer the sole object which their owners had in view. The adjacent lands presented an appearance of comfort and security, far more congenial to the feelings of humanity, than war with all its proudest accompaniments. Villages arose in every vale: while the smile of content, which was visible on the brow of the Helvetic peasant, distinguished him from his more northern neighbours, and plainly indicated that he was already in possession of privileges, placing him far above the degraded condition of a slave\*.

\* For a more detailed account of the state of society, manners, and science in the middle ages, compared with modern times, I must refer the reader to Professor Meiner's excellent work, *VERGLEICHUNG DER SITTEN*.

CHAP. III.

*Carlovingian Race — Boson — Division of the Burgundian Monarchy — Rodolphus — Helvetia united to the German Empire — Pretensions of the Court of Rome — Ineffectual Opposition of the Emperors — Bertold of Zaringen.*

LEWIS the *Debonaire*, who succeeded CHAP. III.  
 his father Charlemagne, was formed by nature for the austere offices of a cloister; but A. D. 813.  
 unfortunately for his own reputation, and the happiness of a powerful nation, he was destined by birth to wield a sceptre. Possessing qualities, which might have enabled him to walk without reproach in the humble paths of private life, his very virtues became blemishes on the throne. Mistaken piety rendered him negligent of the duties of royalty, while the facility of his temper exposed him to continual errors, from a shameful condescension to the caprices of an ambitious wife. The clergy took  
 advantage

CHAP. advantage of his weakness, and fattened on  
 { III. the spoils of the impoverished state. Charle-  
 magne and Pepin had, indeed, set the exam-  
 ple by their imprudent liberality to the see  
 of Rome. But policy, perhaps, was not with-  
 out it's share in those prodigal donations\*.  
 This, however, the contracted genius of Lewis  
 was incapable of discerning; so that, when he  
 ventured to imitate his predecessors, it was  
 their defects alone which he copied.

844— His descendents, who were continually  
 856. occupied in domestic feuds, had little

\* It was natural for princes, whose titles were dubious, to employ every method of cultivating friends. With this view, they distributed among the clergy those donations which had been formerly reserved for their generals. From men, who were bound by the duties of religion, they expected greater fidelity than from savage warriors enured to blood. They also flattered themselves that, through the influence of the bishops, they might be enabled to appease the turbulence of faction, and to restrain their lay-vassals within the line of duty. Mosheim, II. 62.

Carolus magnus, pro contundendâ gentium illarum ferociâ, omnes penè terras ecclesiis contulerat, consilio-  
 sissimè perpendens, nolle sacri ordinis homines, tam facile  
 quam laicos, fidelitatem domini rejicere. Præterea, si  
 laici rebellarent, illos posse excommunicationis auctoritate  
 et potentiae severitate compescere, Will. Malm. V.

leisure

leisure for other concerns. The barons took advantage of the distracted state of public affairs to encroach upon the prerogatives of the crown, and to acquire an independence, which not only rendered them formidable to the reigning princes, but was ultimately productive of another change in the dynasty of France.

During the reign of Lothaire II. Hubert, whom he intrusted with the government of Transjurane Burgundy, and whom he imprudently offended by repudiating his sister, raised the standard of rebellion. His first step was to declare the whole country, over which he presided, an independent state, and then to render himself master of it, under the title of duke. His triumph, however, was of short duration. Conrad, Count of Paris, marched against him at the head of a numerous army, and having defeated him in a decisive battle, received the investiture of Burgundy as the reward of his services.

About the same period, Count Boson gave a still more fatal blow to the declining power of the Carlovingians. Boson was highly endowed

CHAP. endowed by nature with those splendid qua-

III. lities which captivate applause. His military

exploits had raised him to a pre-eminent station among the heroes of the age. The generosity,

or rather prodigality, of his disposition, secured the affections of the people. His sister, the

beautiful Richilda, was the avowed favourite of Charles the Bald, to whom some authors

pretend that she was privately married. By

her unbounded influence Boson had attained to the first dignities of the empire, and re-

ceived the hand of the Princess Hermengarde, the only daughter of the Emperor Lewis II.

Such brilliant distinctions were, however, by no means sufficient to satisfy the ambition of a

man, whose views expanded with his fortune.

In his opinion, nothing was obtained, while any thing remained to acquire. It is the

remark of an ingenious writer, that men of common abilities wait for occasions while

those of superior talents create them. The death of Lewis the Stammerer opened a new

field to the enterprising spirit of Boson. He saw the possibility of possessing an independent

crown. His soul caught fire at the alluring prospect, and devoted every faculty to it's

attainment.

attainment. In an age of superstition the CHAP.  
 influence of the clergy is unbounded. Happy III.  
 would it have been for mankind had it been  
 uniformly exerted in the cause of virtue! But  
 ambition is represented, by our great poet, as  
 the sin by which the angels fell. It was the  
 passion to which Boson applied. By nature  
 liberal, he now grew profuse. Every thing;  
 that wore an ecclesiastical habit, was over-  
 whelmed with favours. Neither was Hermen-  
 garde inactive, but seconded the projects of  
 her husband with the resistless logic of wit  
 and beauty. Such arguments are seldom  
 ineffectual. Every eye was turned toward  
 Boson, as the only person capable of filling  
 the vacant throne. Virtues, talents, piety, de-  
 signated the favourite of heaven. Nobles,  
 clergy, people, were equally unanimous in his  
 favour. A general assembly was convened  
 at Vienne, in Dauphiny, when the Burgundian  
 sceptre was publicly tendered to the aspiring  
 duke. Boson had now attained the summit  
 of his wishes, but prudence still directed his  
 conduct. He played his part like an experi-  
 enced politician; affected surprise at the unex-  
 pected offer; pleaded inability to undertake  
 the

CHAP. arduous task; and requested a delay of three

III. days, before he returned a final answer, that in solitude and retirement he might consult the inclinations of Providence. Boson's scruples, as we may easily believe, did not require much casuistry to remove them; nor were the prelates so little versed in the arts of a court as to be backward in urging their suit. The fiat of heaven was given by the unerring voice of episcopacy, and Boson declared to be the elect of God. The ceremony of his coronation immediately ensued; and he received the crown from the hands of the archbishop of Lyons, amid the acclamations of his new subjects; so that no title, divine or human, seemed any longer wanting to consolidate his authority\*.

No sooner were the weak descendents of Charlemagne informed of this transaction, than they sprung from their lethargic slumbers, and prepared to inflict a signal vengeance on the ungrateful rebel, whose rapid fortune had been, in a great measure, the work of their own creation. That their indignation was

\* Muller, I. xii.

just



just it is impossible to deny ; unless we admit CHAP.  
the dangerous maxim, that talents alone give III.  
a claim to greatness. But the corrupt minds  
of these degenerate princes were little calculated for heroic exertion. Treachery was more congenial to their character ; and experience had taught them the efficacy of corruption. Yet to their confusion they discovered, that there is a power more permanent than any which terror can erect, or gold can overturn. They found that THE MONARCH, WHO REIGNS IN THE HEARTS OF HIS PEOPLE, IS SECURE AGAINST EVERY ATTACK. Foiled in their base attempts, they had recourse to a more honourable system, and flattered themselves to succeed by force, where perfidy had failed. A coalition was in consequence formed between Lewis and Carloman (the joint successors of Lewis the Stammerer), and the emperor *Charles le Gros*. Their united forces entered the Burgundian territory, and laid siege to Vienne. Boson had prudently withdrawn from the first violence of the storm to a place of security, in the neighbouring mountains, leaving the defence of his capital to Hermengarde ; who

VOL. I.                      H                      proved

CHAP. proved herself worthy of the important trust.

III. By her example she animated the timid, by her praises she encouraged the brave. The citizens co-operated with the soldiers. Their resistance was determined and obstinate. Toils and hardships were forgotten, while beauty shared them, and cheered the sufferer with a smile. On the part of the assailants, the siege proved languid and ill-conducted. Unaccustomed to any fatigues but those of pleasure, Lewis fell sick and died. This event was followed by a fresh incursion of the Normans upon the coasts of France. Carloman trembled for his capital, and drawing off his army marched against the invaders, having first concluded a hasty peace with Boson, whose daughter he married. Thus the whole weight of the war fell on the feeble emperor, who finding his forces too much weakened by the defection of his ally, to leave any hope of success, immediately entered into a negotiation; and a treaty was shortly concluded, on condition that Boson should be left in tranquil possession of the Burgundian crown, provided he would consent to hold it as a fief of the empire.

The

The defect of accurate information renders CHAP. the transactions of these times at best un- III. certain. Such indeed is the want of materials, that it is a task of no inconsiderable labour to the historian to preserve the appearance of regularity, or chronological order. From the termination of the war with the emperor, the reign of Boson is clouded with obscurity. We only learn that he governed Burgundy, during a period of nineteen years with wisdom and moderation, and died universally beloved and regretted. Probably nothing may be required except an adequate biographer, to place the character of this great man in a more conspicuous point of view; a circumstance, which perhaps has operated more forcibly than great men are ready to acknowledge, in fixing our ideas of heroic worth.

Boson was succeeded by his son Lewis\*, who was a minor at his father's death, and destitute of every support, except what the spirit and capacity of his mother could supply. The efforts of a woman however are seldom efficacious, when opposed to the turbulence of ambition. It is impossible for us to enter

\* Muller, I. xii.

CHAP. minutely into the details of these stormy

III. times; for materials are wanting. Yet from the little which we can collect, it appears that a war between Lewis and his barons terminated in the division of the Burgundian monarchy. The southern provinces remained to the son of Hermengarde, with the title of Count of Provence; while the northern, or Helvetic part, was wrested from him by Rodolphus (a son of that Conrad who obtained the investiture of Transjurane Burgundy, after the defeat of Hubert) and was by him erected into an independent state, the transactions of which are more intimately connected with the affairs of Switzerland.

This prince engaged in a warlike contention with Arnold, Emperor of Germany, about the year 897; from which, notwithstanding his disproportionate power, he escaped without material loss. From this circumstance it is probable, that he was endowed with prudence and military talents. After a reign of twenty-two years, during which he is supposed to have extended his dominion over several of the adjacent provinces, he was succeeded by his eldest son, whose name was likewise Rodolphus.

The

The elevation of Conrad, duke of Fran-  
 conia, to the imperial throne in 912, estab-  
 lished an eternal line of separation between  
 France and Germany. So that, from this  
 period, the history of Helvetia is entirely un-  
 connected with that of the former country.

During the feeble government of the Car-  
 lovingian line, many of the great German  
 barons, in imitation of their compeers in  
 France, had shaken off all subordination to  
 the imperial crown: while the clergy, no less  
 active and enterprising, took advantage of  
 the distracted state of public affairs, to lay  
 the foundations of that gigantic power, which  
 affords the most memorable example of  
 the weakness and the cunning of man-  
 kind. This struggle for superiority gave rise  
 to frequent contests between those potent  
 orders, which were sometimes supported,  
 on the part of the church, with a degree  
 of animosity not entirely consistent with  
 our ideas of a profession, whose leading  
 tenets are charity and peace. Rodolphus II.  
 was long engaged in the troubles of Italy.  
 Called by the leaders of a triumphant faction  
 to the throne of Lombardy, he supported

CHAP. himself for some years, in that precarious

III. dignity with credit and reputation. Till find-

920.

ing from fatal experience, that no dependence could be placed on the fidelity of a people, by whom perfidy was considered as the characteristic of genius, he prudently resolved to abandon a situation where courage was fruitless, and precaution ineffectual. Renouncing therefore his pretensions in favour of Hugh, or Hugo, count of Provence, he withdrew to his hereditary states\*.

Rodolphus lived on the most cordial terms of friendship with the emperor Henry I. who assiduously courted his alliance with the hope, that by his assistance he might balance the growing power of the house of Suabia. From him he received the investiture of several imperial fiefs, which lay contiguous to his patrimonial domain; and, as an adequate return, he presented the emperor with a lance, supposed to be that which pierced the side of Christ on the cross†. A modern negotiator would probably smile at the mention of such an equivalent. But anecdotes of this nature

\* Muller.

† Ibid.

afford

afford a clearer insight into the spirit of the **CHAP.**  
times, than volumes of elaborate disquisition. **III.**

The restless temper of the Italians induced them, once more, to place their crown at the feet of Rodolphus. But Hugo, apprised of their intentions, despatched an ambassador to his rival, offering him Provence, provided he was left in tranquil enjoyment of the Lombard throne. The proposal was too tempting to be withstood. Hugo however, if royalty were his object, had ample cause to repent the bargain; for he was afterward driven from his capital in a popular tumult. But good is frequently educed from ill. He retired to a sequestered spot in Switzerland, where under the habit of a monk he devoted the remainder of his days to acts of benevolence and devotion.

The situation of Rodolphus was widely different. In the meridian of life he enjoyed the full reward of prudence, and in a scene of active virtue contributed essentially to the happiness of thousands. His dominions stretched from the banks of the Rhine to the Mediterranean; commanding the most important passes of the Alps, and comprehending the finest provinces of southern France. His reputation was great, and unblemished; his power extensive, and built

CHAP. built on the only solid basis, the affections of  
 III. his people. In the midst of this delightful  
 prospect, and at an age when he might reasonably have anticipated a continuance of honourable repose, he was snatched away by the hand of death, before he had a son capable of assuming the administration of the realm\*.

During his minority Conrad was committed to the care of Libo† bishop of Lausanne, a prelate of distinguished merit, who appears to have executed the important trust with prudence and ability. At least the conduct of the young prince, when arrived at years of discretion, was of a nature to reflect the highest credit upon those who superintended his education. His father's example seems to have been the model on which he endeavoured to form his character; nor could a better have been easily found. From him he learned the advantage of an alliance with the imperial throne; and, in adherence to this plan, he maintained the closest amity with the emperor Otho, who married his sister Adelaide. By his moderation and firmness he in a short time reduced into proper subordination the

\* Muller.

† Id.

factions



factionous spirit of the nobility, which under a less judicious prince might have occasioned the loss of Provence. The Huns during this reign first infested the frontiers of Burgundy, and by their destructive inroads spread universal consternation. This active monarch marched in person against the invaders, and having defeated them in a decisive battle, restored confidence and tranquillity to his dominions.

CHAP. III.

954.

Upon the death of Conrad a general assembly was held at Lausanne, when his son Rodolphus was raised by unanimous suffrage to the throne. The character of the new king was little calculated for an age, when prudence and energy were indispensable to support the dignity of a crown. Weak, irritable, and severe, he exhibited during his administration a succession of actions rashly undertaken, injudiciously pursued, and disgracefully abandoned. At the commencement of his reign he contrived to alienate the affections of the nobility, by an unjust attempt to deprive one of the most considerable of that powerful order of his patrimonial estate. Such an outrage at a later period, when royalty and religion had entered into

993.

CHAP. into a dangerous compact against the liberties

III.

of mankind, might have passed unnoticed, or at most have been considered as no extraordinary stretch of prerogative. But the rigid spirit of these uncourtly warriors was not sufficiently softened by corruption to bend submissively beneath the yoke of despotism. This violation of private property was justly regarded as an injury to the whole body. Every individual felt that to be silent was to authorise oppression. He, who to-day connived at injustice, might to-morrow become its victim. A meeting of the barons, in consequence, took place; when it was resolved to publish an address to the nation, stating their grievances, and asserting their privileges. It was drawn with all the boldness of men, who knew the value of freedom, and in a style which proved that they were prepared to defend it.—“ Rodolphus (it was alleged) owed his crown to the voluntary choice of the people, and not to any vain claim of divine hereditary right. By his office he was appointed the first magistrate of a free state: he was intrusted with the administration of justice for the public benefit, and was accountable

“accountable for his actions to those from  
 “whom his power was derived. That so long  
 “as he fulfilled the duties of his high station  
 “for the general advantage of his subjects he  
 “was entitled to their obedience, and should  
 “receive every tribute of respect, which had  
 “been offered to the most glorious of his pre-  
 “decessors by a grateful and happy people.  
 “But the very moment he transgressed the  
 “fundamental principles of government, and  
 “attacked the constitution in it's vital parts,  
 “the compact ceased; and under such circum-  
 “stances the duty of self-preservation became  
 “paramount to every other obligation.” Such  
 language carried conviction. It derived it's  
 force from the immutable dictates of reason,  
 and nature, and was proof against all the  
 sophistry of a court\*.

A general combination was now formed  
 against the weak and irresolute monarch, who  
 beheld himself upon the very brink of destruc-  
 tion. No hope was left him, but in the inter-  
 ference of his aunt, the empress Adelaide, who  
 by her exemplary piety and benevolence had

\* Muller. Dittmar.

merited

CHAP. merited universal esteem. Her virtues ope-

**III.** rated on the minds of the Burgundians with greater effect than all the warlike preparations of their indignant sovereign. By her mediation a compromise took place, and peace was once more established, without any material sacrifice on the part of her nephew.

Unfortunately however for his interests, Adelaide did not long survive this reconciliation. Her loss was irreparable. Rodolphus, abandoned once more to his own discretion, was carried away by the current of passion, like a vessel bereft of it's pilot. His situation grew every day more deplorable. His treasures had been lavished with heedless prodigality, nor did he know where to turn for supplies. Every thing was attempted\*. The ecclesiastical benefices were kept vacant, that their revenues might afford a temporary relief; or bestowed upon unworthy objects, as the fruits of servility, or the recompense of apostasy.

Measures so unpopular were little calculated to produce a radical cure in wounds,

\* Ditmar.

which

barely seared by the skill of Adelaide. A fresh storm seemed gathering apace; till Rodolphus, abandoned by every party, and incapable of finding any resources in the energy of his own exertions, beheld no hope of salvation but in the protection of the imperial throne. To this therefore he fled for shelter, and in order more effectually to ensure his support he declared the emperor, Henry II. his heir. Odo, or Eudes, count of Champagne, who was nephew to the king, being the son of his sister Bertha, learned with indignation a transaction, the avowed object of which was destructive to his future prospects. Rodolphus, indeed, was sunk too low to excite any sentiment, except that of contempt. But his own interest was too nearly concerned to suffer Eudes to continue a tranquil spectator of this iniquitous negotiation between pusillanimity and injustice. Neither was the treaty less unpopular among the Burgundians, than prejudicial to the count of Champagne. They revolted at the idea of being transferred to a German master; and felt themselves impelled, by the necessity of the case, to act upon the  
maxims

CHAP. maxims which they had so recently established.

**III.** A general insurrection took place, at the head of which appeared William, Count of Poitiers, a man equally conspicuous for his illustrious descent, his large possessions, and his military exploits. Terrified at the approaching danger, the timid monarch fled with his queen to Strasbourg; where he threw himself at the emperor's feet, acknowledging himself the vassal of the imperial crown. Henry looked down upon the wretch with scorn; and would in all probability have abandoned him to his fate, had he not been influenced by a passion more active than that of pity. The moment was favourable for the execution of his projects of ambition, and he stipulated for an immediate surrender of the Burgundian crown, before he would consent to take a single step in defence of its degenerate master.

It could hardly be supposed, that a high-spirited people would tamely submit to be bartered, like cattle, at the will of an arbitrary master. The conduct of the Burgundians at this momentous crisis was such as their magnanimity gave reason to expect. Refusing to acknowledge a sovereign

reign whose authority was unsanctioned by CHAP.  
their own consent, they armed in defence III.  
of their dearest rights. The genius of Henry  
was not formed to recede. He felt all the  
importance of the acquisition and resolved  
never tamely to relinquish it. Both parties  
prepared for the field, but with very op-  
posite prospects. The situation of the Bur-  
gundians was encompassed with difficulties.  
Composed of various provinces, they dif-  
fered in their language and customs, not less  
than in their laws and franchises. Their  
objects therefore could not be uniform, and  
though they were animated with the love of  
independence, which is capable of giving birth  
to the noblest achievements, that intimate  
union was wanting which is the soul and  
essence of popular confederacies.

The imperial army under the command of  
Werner bishop of Strasbourg, having entered  
the Burgundian territory, advanced by rapid  
marches to the lake of Geneva, where the  
insurgents were posted under the Count of  
Poitiers\*. A general engagement took place,

\* Guichenon. Mallet, I. 130.

the

CHAP. the event of which proved unpropitious to the  
 III. cause of liberty. So complete indeed was

1020. the success of the imperialists, that nothing  
 but unconditional submission remained to  
 the vanquished.

1029. On the decease of Henry, who died with-  
 out issue during the life of Rodolphus, a  
 fresh contest arose for the Burgundian sceptre.  
 By the feudal law it devolved to the count  
 of Champagne, who claimed it in right of  
 his mother the sister of Rodolphus. But the  
 new emperor Conrad having married a daugh-  
 ter of Gisella, who was a younger sister of  
 the same prince, thought fit to assert his title:  
 though his wife, who was the widow of Ernest  
 duke of Suabia, had children by her former  
 husband; of whom, supposing Eudes to have  
 been entirely out of the question, the eldest son  
 would have undoubtedly possessed the right in  
 dispute. Finding therefore how little he had  
 to expect from any plea of consanguinity, the  
 crafty emperor set up a new pretension; assert-  
 ing that the kingdom of Burgundy had been  
 annexed to the imperial crown by the donation  
 of Rodolphus, and that it consequently de-  
 volved on him, as the head of the Germanic  
 body.



body. Differences of this nature can be de-  
 termined by the sword alone ; and to that both  
 parties now appealed. The war was supported  
 with vigor ; and Eudes though unsuccessful was  
 not subdued. When unable to face his enemy  
 in the field he had recourse to negotiation.  
 Temporary suspensions took place on the faith  
 of treaties, which were constantly violated by  
 the count, whenever any favourable change  
 of circumstances afforded the faintest prospect  
 of better fortune. Hostilities were in this  
 manner protracted for several years, till fall-  
 ing in a decisive battle, near Bar-le-duc, Eudes  
 left his rival in undisputed possession of the  
 contested throne \*. Delivered from the dread  
 of a competitor, Conrad found nothing want-  
 ing to confirm his title but a circumstance  
 which has seldom much weight in the opinion  
 of conquerors, the consent of his subjects ; and  
 this he had the wisdom not totally to despise.  
 Having previously gained over some of the  
 leading men, he summoned a general assembly  
 of the states at Soleure, and caused his son  
 Henry to be elected king†.

\* Barre, Histoire d'Allemagne.

† Eique fidelitatem *denuò* jurare fecit. Wipo.

CHAP. Henry III. after his father's death united

III. the whole of Switzerland to the imperial crown, and omitted nothing which prudence could dictate for the re-establishment of order and good government. Civil dissensions are in general productive of the most atrocious abuses. The support of the great is of too much importance to the contending parties, to allow them to regulate their conduct with that vigilance, which in an age of barbarism is essential to public peace. The castles of the nobility had of late years been converted into the receptacles of plunder. Their haughty owners bid defiance to the law, and seemed to regard the privilege of oppressing their inferiors as their most valuable prerogative. The tribunals of justice were forsaken, and on the slightest difference an appeal was made to the sword. To prevail upon such men to lay aside their ferocious habits, and to submit to what they considered as *plebeian* forms of law, demanded a degree of perseverance and moderation which is the lot of few. The hope of promoting public utility, however, stimulated the emperor to the attempt; and he had the satisfaction to find, that his endeavours

deavours were ultimately crowned with success: CHAP.

When the voice of persuasion proved ineffec- III.  
tual severity was employed. Several castles  
were levelled with the ground; while tribunals  
were instituted at Zurich and Soleure, to the  
decisions of which it at length became no de-  
gradation to submit\*.

Unfortunately for mankind the effects of 1056.  
these salutary institutions were far from being  
permanent. Notwithstanding all the great  
and brilliant qualities of Henry IV. his reign  
was little calculated to promote domestic tran-  
quillity. It would be foreign to our subject  
to enter into a detail of the memorable con-  
troversy between the popes and the emperors,  
which so long distracted the Christian world.  
Yet it is difficult to suppress our indignation,  
when we behold the successor of the humble  
Peter, the representative of a Monarch who  
disclaimed all temporal grandeurs, and ex-  
pressly declared THAT HIS KINGDOM WAS  
NOT OF THIS WORLD, insolently trampling  
upon the imperial diadem, and in the phrensy  
of presumption arrogating to himself a pa-

\* Stumpf. Guilliman.

CHAP. amount dominion over all the potentates of

**III.** the earth. Such, however, were the pretensions of the haughty Hildebrand, when seated in the papal chair, under the hateful title of Gregory VII\*. Such, likewise, was the blindness of the age, that the servility of the people kept pace with the arrogance of the monk. Nay, we find that even those who

\* Hildebrand was a man of superior genius and boundless ambition. Bold, enterprising, and sagacious, nothing could escape his penetration, or intimidate his courage. With an aspiring eye he looked up to universal empire, and laboured to attain his end with a spirit of perseverance which was neither impeded by difficulties, nor deterred by opposition. But being destitute of every virtuous principle, and deaf to the dictates of religion, he threw Europe into confusion by the turbulence of his character, and the arrogance of his pretensions. Not satisfied with extending the power, and augmenting the revenues of the see of Rome, he embraced the daring project of rescuing the church from all extraneous jurisdiction; while, at the same time, he aimed at establishing an authority in civil affairs equally extensive and tyrannical. With this view, he is said to have formed the plan of convening annually at Rome an ecclesiastical synod, to which all disputes between christian princes should be submitted, and by whom the destiny of nations should be decided. That Hildebrand seriously indulged in this chimerical project we learn from his own epistles, as well as from many other authentic documents. Mosheim, II. 490.

were

were most deeply interested in opposing so execrable a tyranny were proud to enlist under the banners of the church. Abandoned by all, the high-spirited emperor was obliged to drink the cup of humiliation to it's very dregs. Prostrate, in the garb of a suppliant, at the feet of the implacable priest, he was compelled to expiate, in all the bitterness of a broken heart, the atrocious crime of having dared to assert his hereditary rights with the courage of a man, and the dignity of a sovereign. Forgetting that the common cause of royalty was hazarded in this conflict, a considerable part of the German princes took arms in favour of the pope; and adopting the abominable maxim, *that subjects were absolved from all allegiance to an excommunicated prince*, they deposed Henry, and elected Rodolphus duke of Suabia in his stead.

At a period like this, the splendor of a family depended so entirely on the character of it's chief, that nothing is more common than to find names, before unnoticed, bursting on a sudden from their native obscurity, to occupy a conspicuous place upon the great theatre of human enterprise. The house of

CHAP. *Zaringen* was of this description. Bertold had  
 III. been one of the most active supporters of  
 1078. Rodolphus in his pretensions to the imperial  
 throne, and after his death became the soul  
 of that faction which still adhered to the court  
 of Rome. Unable any longer to oppose the  
 formidable power of Henry, and finding his  
 party gradually declining he gave way to  
 despondency, sunk into a settled melancholy,  
 and died of a broken heart \*.

Uniting political address to military prowess his son augmented his patrimonial domain by the acquisition of the Brisgau and the Black Forest, the latter of which was conquered from the house of Suabia. Neither was his influence inconsiderable in the north of Switzerland, where, to hereditary possessions of very great extent, he united the government of Zurich †.

His son and successor, Conrad, pursued the same plan of aggrandisement with steady perseverance. So great was the consideration which  
 1126. he enjoyed, that he was selected by Lothaire II.

\* Stumpf. Guilliman.

† Ibid.

for the important post of governor of Burgundy; a dignity which, from that time, became hereditary in the family. This valuable office placed the greater part of Switzerland under his immediate jurisdiction, and entitled him to a distinguished place among the princes of Germany. The death of Lothaire however was a blow from which he with difficulty recovered. Induced by an amiable sense of gratitude toward the family of his benefactor, he imprudently attached himself to that party which opposed the election of Conrad duke of Franconia. Frederic the emperor's nephew, so well known by the title of *Barbarossa*, having taken possession of Zurich and the greater part of the Brisgau, constrained the margrave to accept the conditions which in the plenitude of power he thought proper to impose.

Bertold III. (or IV. as he is sometimes called) \* taking warning from his father's example, devoted himself to the imperial court, and obtained from the emperor Frederic the investiture of several provinces on the Lake of Geneva, as the reward of his fidelity. The

\* Guilleman de Rebus Helveticis, II.

**CHAP.** wisdom of his government justified the partiality of Barbarossa. Several towns which had fallen into decay during the turbulence of civil commotions were repaired and fortified. Others were built. Among the latter was Fribourg, the present capital of one of the cantons. His municipal establishments, including a form of legal process, not unlike our trial by jury, do equal honour to his memory.

**1185.** Bertold IV. lived in a state of continual warfare with his nobles, who resisted every plan of reform with the obstinacy of prejudice, stimulated to action by the corroborating voice of private interest\*. But that sagacious prince was not to be diverted from the path of rectitude by the murmurs of a discontented aristocracy. The insurgents were defeated in successive combats; but their generous sovereign took no advantage of his success, except to enforce obedience to the laws, and thus to strengthen the arm of civil government. The seeds of discontent had, however, sunk too deep to be easily eradicated.

\* Tschudi. Stettler,

cated,



cated. Bertold was resolved to secure him-  
 self against any sudden attack, which was  
 the only thing to be apprehended. For this  
 purpose he not only fortified the open towns,  
 but erected castles in those places where an  
 insurrection was most to be dreaded. To  
 this system of precaution Berne owes its  
 foundation.

It cannot be supposed that the whole body  
 of the nobility was equally deaf to the voice  
 of reason. Some, we find, elevated above the  
 prejudices of the age, who came courageously  
 forward in defence of a system which aimed  
 at nothing but the general welfare. It is with  
 peculiar satisfaction that we read the name  
 of Erlach at the head of this respectable list;  
 a name frèquently mentioned with applause in  
 the annals of Switzerland, and which will  
 henceforth possess an eternal claim to the uni-  
 versal reverence of mankind, from the firm  
 and patriotic conduct of its late unfortunate  
 master. It was about this period that the  
 Emperor Frederick, a prince in many respects  
 superior to the age in which he lived, was  
 seized with the fashionable phrensy of re-  
 conquering the Holy Land. The origin and  
 management

## CHAP.

## III.

management of those enthusiastic enterprises, so celebrated among the crimes and follies of mankind under the title of CRUSADES, come not within the limits of Helvetic history, and have besides been so accurately described by the ablest writers, that no farther comment can be wanting. Suffice it then to add, that there is no error in human politics more calculated to awaken reflection in a mind accustomed to search for lessons of experience in the historic page. The triumph of superstition was never more complete; the effects of imprudence were never more conspicuous. Every thing concurred to spread the malady, till it became epidemical. Religious enthusiasm, and the love of fame, the leading passions of a barbaric age, acted with resistless impulse upon the minds of a people, whose ideas were unrefined by study, and who regarded personal courage as the type of every virtue. Even the prudent Bertold was not proof against the temptation. We find him mentioned with applause, by contemporary authors, among the followers of Barbarossa, both for bravery and his devotion. Such indeed was the reputation which he acquired, that

that on the death of Henry VI. who survived CHAP.  
 his father only a few years, he received an III.  
 offer of the imperial crown. But he had the 1198.  
 wisdom to discern that weakness in an elevated  
 station is the most humiliating lot to which  
 human vanity can be exposed. Thus he con-  
 tinued, in a less exalted sphere, to consecrate  
 his days to the happiness of those whom  
 Providence had more immediately placed  
 under his care. If a life exclusively conse-  
 crated to the prosperity of his people could  
 give a claim to their protection, Bertold might  
 have felt himself secure from danger; but  
 the malevolence of his enemies pursued him  
 with unrelenting vengeance, and struck a  
 fatal blow against his domestic repose. His  
 two sons were poisoned by their bold and 1212.  
 aspiring step-mother\*.

Worn

\* Tschudi, who is perhaps the most authentic of all the Helvetic writers, gives the following account of this melancholy catastrophe. Two years after the death of his first wife, Bertold married Agnes of Kyburg. Desirous of exterminating the whole race of Zaringen, the discontented nobles found means to administer a potion to the youthful duchess, which prevented her from ever bearing

**CHAP.** Worn down by affliction, Bertold did not  
**III.** long survive his sons; and dying without  
 issue left his dominions to be divided among  
 the collateral branches of his family. Ulric  
 of Kyburg, who married his sister, succeeded  
 to the government of Burgundy. His pos-  
 sessions in Suabia devolved on the counts of  
 Teck and Howenrach; while the Brisgau fell  
 to the House of Baden. But the prefecture  
 of Zurich, on account of the troubles which

bearing children. Thus robbed of what she considered  
 as the greatest blessing of life, she grew jealous and mo-  
 rose; beholding the sons of Bertold, by his former duch-  
 ess, with an envious eye. With secret delight, the  
 factious barons viewed the progress of this malignant  
 passion, and omitted no occasion of fomenting it,  
 till they at length prevailed upon her to mix poi-  
 son in their food. The two princes expired in con-  
 vulsions, which plainly indicated the cause of their death.  
 The father's suspicions were awakened. Some of his  
 domestics were put to the torture, and confessed their  
 guilt, accusing Agnes as their employer, who was im-  
 mediately condemned to lose her head.

As a further proof of the authenticity of his narrative,  
 Tschudi produces the following fact. In the year 1544,  
 a coffin was dug up in one of the churches at Soleure,  
 containing the skeletons of two youths, and a skull.  
 The latter he has no doubt was the head of Agnes, which  
 was buried by Bertold's order in the same coffin with  
 the bodies of his sons. May, I. xxvi.

prevailed

prevailed in the empire, remained a long time vacant\*.

CHAP.  
III.

The year in which the House of Zaringen became extinct was distinguished by the birth of Rodolphus of Hapsbourg—a prince remarkable on many accounts, but more particularly as having been the founder of Austrian greatness.

\* Stumpf. Tschudi, III.

## CHAP. IV.

*View of Society during the thirteenth Century—  
Corruption of the Clergy—Monastic Institutions  
—Literature—Imperial Prerogatives—Com-  
merce—The People emerge from Obscurity—  
Internal State of Helvetia—Religious Founda-  
tions—Power and oppressive Conduct of the  
Nobility.*

CHAP. **IV.** **AS** we are now approaching an epoch, the most important of any in the annals of Switzerland, it may not be improper to pause a while, that we may take a minute view of the internal situation of that country, and thus enable ourselves to follow the subsequent revolution through all its various details. Neither will it be easy to distinguish the interests of Helvetia from those of Germany. The connection subsisting between the two countries is henceforth too intimate for them to be considered separately.

For some time previous to the accession of Rodolphus, the internal commotions which prevailed

prevailed in Germany had been sufficient to engage the attention of the most active mind. CHAP. IVI

The imperial crown was become a burthen, that left the wearer but little leisure for extraneous pursuits. Yet during the greater part of this disastrous period Helvetia enjoyed domestic tranquillity, and sagaciously employed it in forming such establishments as might best conduce to her permanent happiness.

The pretensions of the house of Suabia were annihilated by a treaty with Bertold of Zaringen\*; and a spirit of independence had subsequently been so rapidly diffused over the greater part of Suabia, that the dukes found ample employment at home, without interfering in the concerns of foreign powers.

Europe was besides, at this time, convulsed with the solution of two grand political questions, in the agitation of which every malignant passion of the human mind was displayed in it's fullest extent. In the first, all the princes of Christendom were individually concerned; since it regarded a subject of no less moment than the pre-eminence of the clergy in tem-

\* Made in 1081.

poral,

CHAP. poral, as well as in spiritual affairs. The

IV. second was scarcely less important, as it related to the degree of allegiance which was due from a vassal to his lord.

But in order to form a more distinct idea of the objects before us, it will be requisite to take a general survey of the state of religion, from the conversion of Clovis to the accession of the house of Hapsbourg; an inquiry which we have purposely reserved for the present moment. Great as was the influence of the clergy under the successors of Constantine, it remained undiminished by the conquests of the barbarians\*. For religion, and its priests, were the only objects capable of inspiring those ferocious chieftains with veneration and awe. The clergy were the advocates of the people with their new masters, and such was their success in this honourable mission, that

\* During their continuance in the errors of Paganism the northern nations were kept in the most abject slavery by their priests; without whose advice and permission they never ventured to conclude any affair of consequence. It was therefore natural for them, after their conversion to Christianity, to transfer to the ministers of the new religion all the privileges which had been enjoyed by their former clergy.—Mosheim, II. 222.

they



they became objects of universal respect, and obtained an entire ascendant over the public mind\*. The conquerors of the empire wanted not penetration to discover, that an apparent reverence for the ecclesiastical profession was absolutely necessary to obtain the confidence of their new subjects. Prelates were, in consequence, raised to the highest dignities, even under princes who had not yet embraced the Christian faith. The great consideration in which they were held by those of the same persuasion may be collected from an edict made by Clotaire in 560; which enacts, that if any magistrate shall be guilty of injustice in the execution of his office, *the bishop, in the event of the king's absence, shall take cognisance of the affair, and after due investigation shall punish the judge, if criminal, and repair the injury which he had committed* †.

Another source of power, and no indifferent one in the hands of worldly cunning, was the

\* Hermoldus, speaking of the northern nations, thus expresses himself: "*Rex apud eos modicæ æstimationis erat, comparatione flammis. Ille enim responsa perquirat: Rex et populus ad illius nutum pendent.*"—II. xiii.

† Schmidt, II. ix.

K

education

CHAP. education of princes, which seems to have been

IV. exclusively intrusted to the clergy, as the only men in any degree qualified for so arduous a task. Hence the mitre became an object of universal ambition. Interdicts and excommunications, those potent weapons, which were originally committed to the discretion of the church for the chastisement of impenitent guilt, were soon converted to a different use, and employed for the persecution of those who dared to resist its chimerical views of unlimited empire.

Led astray by misguided fervor, Chilperic ordained that persons under sentence of excommunication should not only be condemned to *eternal perdition in the world to come*, but even in this should be excluded from the presence of the Lord's viceregent, and forfeit all their personal property\*. Little did he imagine, blind enthusiast ! that he was barbing an arrow for the breast of royalty.

The riches of the clergy were immense, and augmenting every day. Princes and people were equally prodigal in their donations to the church. Such indeed was the

\* Schmidt, II. ix.

mistaken

mistaken charity of the age, that whatever CHAP.  
 was bestowed on the clergy was supposed to IV.  
 be given to the poor. Wide, however, was ~~the~~  
 the difference, as experience fatally evinced.  
 For while the dainty prelate revelled in luxury,  
 it was no uncommon thing for Lazarus to  
 petition in vain for the crumbs which fell  
 from his table.

The venality of the Roman catholic religion  
 was another, and a most copious, source of  
 accumulating wealth. The mercy of Heaven  
 was taxed, and crimes of every magnitude  
 were blotted from the book of justice by the  
 intercession of mercenary prayer\*. The fines  
 which were imposed rose in proportion to  
 the ability of the offender; and to such lengths  
 was this scandalous traffic carried, that the  
 rich were almost encouraged in their career of  
 guilt, in order that their contributions might  
 replenish the coffers of the prostituted church.  
 So abundant was the credulity of the age,  
 that Fredegunde thus addressed the assassins,  
 whom she hired to murder her brother-in-law  
 Sigebert. "If you return successful (said she)

\* Mosheim, II. 223.

CHAP. "I will raise you and your children to the  
 IV. "highest dignities\*"; and if you perish in the  
 "attempt, I will order abundant masses for  
 "your souls." Never was there a more in-  
 genious device for temporal aggrandisement,  
 than this artful system of religious *swindling* ;  
 for, in truth it deserves no better name.

Of the immense wealth of the clergy some  
 idea may be formed from a memorable edict  
 of Lewis *le Debonaire*†, where he terms those  
 monasteries *moderately endowed*, which pos-  
 sessed from one thousand to two thousand  
 peasants; those who had above three thousand  
 he calls *rich*. Before the time of Charlemagne,  
 the clergy inculcated with zeal (a fact which  
 will be easily credited) the necessity of pay-  
 ing tithes, in conformity to the precepts of  
 Scripture. He added the imperial fiat to the  
 exhortations of the church, and we leave to  
 the discernment of our readers to determine,  
 which was likely to prove the most efficacious.  
 The tithes indeed were by him divided into  
 three classes, each of which was appropriated

\*Gesta Franc. xxxii. 712. Si corrueritis, ego pro  
 vobis eleemosenas multas per loca sanctorum distribuam.

† Dated in 316.

to it's peculiar use. The first was destined CHAP. IV.  
for repairing, or building, religious edifices. IV.

The second was set apart for the relief of the poor. The third alone was allotted for the maintenance of the clergy. But in a short time the representative was mistaken for the thing represented, and the poor were totally forgotten. So that the whole flowed, in a golden stream, into the coffers of the church.

A nation, or body of men, are seldom conspicuous for virtue, when they are conspicuous for wealth. Both in public and private life corruption is the concomitant of plenty; and it would not perhaps be easy to establish a more exact criterion of the morals of people, than their situation in respect to riches. Even the pure precepts of the Gospel were unable to preserve it's teachers from the general contagion. The pride and pomp of the court of Rome became, at length, proverbial. Luxury, refinement, and dissoluteness of manners, were never carried to a greater excess than under the brilliant pontificate of Leo X.

But confession and absolution were the master-keys of Roman policy. Whatever may have been their objects in the early  
s 1
days

CHAP. days of Christianity, they have subsequently

IV. been perverted to such purposes as ought henceforth to exclude them from every well-regulated state\*. We do not indeed hesitate to affirm, that they are the most efficacious engines which credulity ever intrusted to the direction of craft, and have furnished their dispensers with the only thing which Archimedes wanted, A POWER TO MOVE THE WORLD.

The personal immunities of the clergy were of a nature to encourage pride and licentiousness. By a rescript of Charlemagne, no tribunal was competent to take cognisance of any cause in which an ecclesiastic was implicated, without the previous consent of his metropolitan. It was at the same time ordained that, if any dispute should arise between a priest and a laic, it should be referred to the joint decision of the count and

\* The confessors, by degrees, acquired unbounded influence over the minds of those whose consciences they directed; and under weak and bigoted princes usurped the entire management of state-affairs. To such a height was this abuse carried, that in the time of Henry IV. of France, the priests in general refused absolution to those who were not traitors to the best of kings.—Voltaire, *Essai sur l'Histoire*.

the

the bishop; but, in case of culpability on the part of the priest, the punishment should be left entirely to the latter. CHAP. IV.

The right of sanctuary was another enormous abuse, originating in the ignorance of the darkest times. In the language of holy writ, it *converted the house of God into a den of thieves*. Charlemagne possessed too much penetration not to discern the atrocious folly of such a claim; but he wanted courage to abolish it. In the hope, however, of reconciling his own ideas of justice with the religious prejudices of the age, he forbade his subjects to furnish a murderer with the necessaries of life, though he at the same time declared it unlawful to drag him from his asylum. Chilperic, when his son had taken refuge in the cathedral at Tours, wrote to Gregory in the following terms; "Give me up the rebel, or I will lay waste the adjacent country with fire and the sword." The bishop replied, "Is it possible for a Christian to commit an act, at which the

\* Boniface V. was the author of this abominable institution. Mosheim, II. 185.

CHAP. "boldest heathen would tremble?"\* Terri-

IV. fied at the reproach of sacrilege, the submissive monarch caused a letter to be laid upon the tomb of St. Martin, in which he demanded permission to take away his son. Near it was placed a blank sheet of paper, in order that the holy martyr might have no excuse for silence. This precaution, however, proved vain, for nothing could induce the saint to employ it. The king at last lost all patience, and gave up his patrimony to pillage, wisely preferring to a dispute with the living, a controversy with the dead.

At the first establishment of Christianity the protection of the sovereign was indispensably necessary to the safety and well-being of the church. The behaviour of the clergy was regulated accordingly. Meek, humble and submissive, they studiously avoided all subjects of controversy with those on whom they depended for support. Pretensions too extravagant might have disgusted their patrons. The prodigality of many princes to the church proves how well it's ministers understood their

\* Gregory of Tours, V.



own interest \*; and the arrogance consequent CHAP. upon their prosperity shows that their former IV. moderation did not proceed altogether from Christian humility, or indifference to the affairs of this transitory life. It is by no means easy to ascertain the precise era when bishops were first established in France and Germany. In Rhætia we read of them in very early times, in Trent, Windisch, and Coire. The see of Constance dates from the reign of Clotaire I. Scotland and Ireland, which have been sometimes confounded by the early writers under the name of Hibernia, seem to have been the grand storehouses, whence numerous bodies of missionaries were continually dispersing themselves over the rest of Europe. Among the most zealous apostles of Christianity we may reckon Bonifacius; and from his account of the state of religion in Germany some idea may be formed of the general corruption which prevailed. "There are not wanting priests," says he "who are so regardless of all religions, that they baptise one day in the name of the Holy Trinity,

\* Mosheim, II. 223.

and

CHAP. and on the next offer sacrifices to the divini-  
 IV. ties of Paganism; or, in other words, are per-  
 fectly indifferent to the ceremony, provided  
 they are paid for performing it\*." This cen-  
 sure is in some measure confirmed by an ob-  
 servation of Mabillon, who met with several  
 inscriptions at Rome, in which the *dii manes*  
 and the *Holy Spirit* were strangely connected,  
 to the extreme scandal of the orthodox father.  
 Among a rude people, like the early Germans,  
 ignorance might be pleaded as an excuse;  
 but to see the throne of infallibility sur-  
 rounded by such abominable heresies was an  
 offence too heinous to admit of palliation.  
 So deeply had this passion for pagan cere-  
 monies taken root, that Bonifacius confesses him-  
 self unable to convince his disciples of the  
 criminality of sacrifices offered to a saint, or  
 in the vicinity of a Christian temple†. The  
 following passage, where he breaks out into  
 a pathetic exclamation upon the degraded  
 state of the church, is well worthy of atten-  
 tion: "Religion," he asserts, "has been en-  
 tirely overthrown for these last sixty or seventy

\* Schmidt. II. xii.

† Id. ib.

years.

years. The highest ecclesiastical dignities CHAP.  
 are in the hands either of interested laics, or IV.  
 of licentious priests, whose conduct is disgraceful to their profession; and whose sole object is lucre. The inferior clergy live in a state of shameless profligacy, many of them keeping four or five concubines, to the scandal of all true believers\*. Notwithstanding which, they have still the effrontery to preach the Gospel in public, and are raised to episcopal honours. In such cases their habits of life become still more corrupt. Chastity is derided, and temperance unknown; while drunkenness, debauchery, and hunting, form their sole occupations. Nor is it by any means uncommon to see them take the field in person, and shed the blood of their fellow-creatures, with the same hands with which they administer the holy sacrament."

Of the general state of society we may derive some notion, from Rhegino's account of the questions usually put by a confessor to his penitent†. He was first to inquire, if he had committed murder; secondly, if he had cut

\* Schmidt. II. xii.

† Apud Harzheim, II. 486.

off

CHAP. off the hands or feet, or put out the eyes of  
 IV any one; thirdly, if he had been guilty of  
 perjury; fourthly, if he was an adulterer.

When a female approached the confessional, she was asked, if she had killed her bastard child; if she had ever had recourse to enchantments, or employed amulets, or any other species of magic, to excite the passions of love or hatred in the breasts of her fellow creatures!—What a picture of savage ignorance have we here!

It was before observed, that the penances usually imposed were of a pecuniary nature, and afforded an abundant source of revenue. But among the various devices contrived by artifice for the plunder of credulity, none was more ingeniously conceived, or proved more productive in the event, than the idea of purgatory. So long as an opinion prevailed, that the most heinous offences could be expiated by the supplications of the pious, and that the punishment which men were destined to suffer in another world, would be in an inverse ratio to the number and fervency of the prayers offered for their salvation in this, nothing could be more natural than for rude warriors,

warriors, whose life had been passed in a con-CHAP. tinual violation of every precept of gospel-IV. charity, to endeavour on their death-beds to compound with Heaven, and to purchase paradise by a holy fraud. This belief once established, its success was infallible. Every principle of family-attachment was sacrificed at the shrine of self-interest. The dread of eternal sufferings surmounted every other consideration, while the dying man regarded the temporary distress of his nearest connections as a trifling consideration, when compared with the eternal welfare of his own soul.

The reign of Charlemagne forms a memorable epoch in the history of the church. The successors of Leo were too politic to overlook, and too ambitious to neglect, the inferences deducible from the coronation of an emperor by the hands of a pope. A similar weakness would have been easily accounted for in the greater part of those royal personages, whose names would long since have been buried in oblivion, had not chronology preserved them merely to prevent a chasm in the chain of dates. Vanity, caprice, or folly, might have furnished a satisfactory explanation.

CHAP. tion. But when we contemplate the memory  
 IV. of Charlemagne, ideas of prudence, magnanimity, and wisdom crowd upon the mind; we are naturally led to examine the reasons by which he was influenced; and we can hardly suppose, that any action of his life was destitute of a rational motive. By the right of conquest, or by hereditary succession, he was already in possession of France and Germany, and the northern parts of Italy. Even Rome itself was in a great measure subject to his jurisdiction, under the title of *Patrician*\*. Nor can any thing be more certain than that, for a considerable time, he there exercised the supreme judicial authority,

\* Leo per legatos suos regi misit, rogavitque ut aliquem de suis optimatibus Romam mitteret, qui populum Romanum ad suam *fidem*, atque *subjectionem* per sacramenta firmaret. Annal. Laurens. ad ann. 796. Cenni, who is a strenuous advocate for the see of Rome, affects to question the authenticity of this document, and pretends that the date has been altered, and that it refers to a time when Charlemagne was already in possession of the imperial crown. But a letter from Charles to Leo, on his elevation to the papal chair, puts the matter beyond all doubt. To his assurances of fidelity and obedience, he replies in the following terms: "Valde gayis  
 " sumus

nity, either personally or by representative†. **CHAP. IV.**  
 Gregory IV. appealed to him against a decree of his prefect, by which appeal he virtually acknowledged him for a superior†. It would be an insult to the memory of so great a man to suppose that he could be influenced by the paltry vanity of a title. The decorations and distinctions of worldly greatness are the rocks upon which vulgar minds are wont to split. But Charlemagne was cast by nature in a different mould. The conscious dignity of virtue was the only pre-eminence to which a soul like his could aspire.

That the imperial rescripts were *usually* confirmed by the consent of the pope, before they obtained the force of laws, is a point on which the advocates of the court of Rome have laid the greatest stress. The fact is, in *general*, as

*"sumus seu in electionis unanimitate, seu in humilitatis vestra obedientia, & in promissionis in nos fidelitate,*  
 Epist. Caroli in P. Lambec. Comment. de biblio. Cæs.  
 Ed. Koll. I. 552.

† The imperial prerogatives have been fully explained by Baluzius, in his preface to the *Capitularia*.

† It was Adrian who, in an assembly of bishops, first conferred upon him the right of nominating to the see of Rome. This act is mentioned by Anastasius, and is preserved by Yvo and Gratian. Mosheim, II. 245.

they

CHAP. they represent it; and yet it does not seem

III. to us to be of the smallest service to their cause. The papal sanction was little more than a mere formality, which was used in registering the edict; nor does it appear that the imperial ordinances would have been in the least degree invalidated, though it should have been withheld or omitted\*. The pontiffs themselves indeed were so sensible of the inefficacy of resistance, that they were unwilling gratuitously to hazard their authority by a weak and ineffectual opposition. Yet instances are not wanting, in which they pursued a different line of conduct. Some too, may be found, in which an inquiry was instituted, by command of the emperor, into the government of the reigning pontiff. The following extract of a letter from Leo to the emperor Lewis is still preserved: "If we have done any thing *displeasing to you*, or *contrary to law*, we are ready to amend it

\*The popes received the judicial decisions of the emperors with submission, and conformed to them with exactness. Mosheim, II. 244.

For a further illustration of this subject, vide Mabil-  
lon, Comm. in ordinem Romanum, II. 113.

" according



“according to *your directions*, or to those of CHAP.  
 “*your representative* †.” In the sequel, we IV.  
 find both Stephen IV. and Pascal sending an  
 embassy to acquaint Lewis with their election †.  
 In the reign of Lothaire, the Romans promised  
 never to consecrate a pope, till he had taken  
 the accustomed oaths in presence of the em-  
 peror, or of his delegate. Thus Gregory VI.  
 waited the arrival of an imperial minister,  
 who was sent to examine into the validity of  
 his election, before he ventured to assume  
 the papal crown \*. The same practice appears  
 to have continued in force till the time of  
 Charles *le Gros*, when the imperial influence  
 in Italy began rapidly to decline. John VIII.  
 was the first who openly asserted an inde-  
 pendent power, under pretence that it was  
 derived from the bounty of Constantine, while

† Nos si incompetenter aliquid egimus, et in subditis  
 justæ legis tramitem non conservavimus, *vestro ac mis-*  
*erorum vestrorum cuncta volumus emendare iudicio.* Quo-  
 niam si nos, qui aliena debemus corrigere peccata, pe-  
 jora committimus, certe non veritatis discipuli, sed quod  
 dolentes dicimus, erimus præ ceteris erroris magistri, &c.  
 Schmidt, ib.

† Schmidt, III. xii.

\* Ibid.

L

he

CHAP. he passed over in contemptuous silence the  
 IV. lavish piety of the Carlovingian race. Thus,  
 little by little, the wearers of the Roman tiara  
 shook off all subordination to the imperial  
 throne\*; till at length their pride arrived at  
 such an enormous height, that they assumed  
 the privilege of disposing of the sceptres of  
 the Cæsars, and founded their plea on the  
 coronation of Charlemagne. That the au-  
 thority of the church was paramount to all  
 temporal jurisdiction†, was a position which  
 the

\* Lewis II. alighted at the approach of Pope Nicholas, and led his mule by the bridle on foot.

† It is curious to observe with how much ingenuity the popes availed themselves of the minutest circumstance which could contribute to the advancement of their favourite theory. According to the ceremonial established at the court of Rome, it was customary for the emperor to prostrate himself before the pontiff, to kiss his toe, and to lead his mule by the bridle. Though desirous of receiving the imperial crown from the hands of the pope, Barbarossa was with difficulty persuaded to submit to this humiliating ceremony. But Adrian was inflexible, and carried his point. Elated with success, he caused a picture to be exposed to public view, representing Lothaire II. upon his knees before Alexander, with his hands joined between those of the pontiff, in token of vassalage, and with the following inscription:

"Rex venit ante fores, jurans prius virbis honores.

"Post homo fit papæ, sumit quo dante coronam."

Frederic

the slavish bigotry of those dark ages no longer presumed to controvert; and on the establishment of it depended the pre-eminence of the papal see. CHAP. IV.

We have already seen that Boson, king of Burgundy, was the first great vassal of France who threw off the yoke, and erected his government into a sovereign principality. Alarmed at so dangerous a precedent, the French monarchs bound their subjects by a particular oath to join in opposing the usurper. John VIII. who then filled the papal chair, wrote in the following words to Charles 7<sup>e</sup> Gros: "I have adopted the magnanimous Boson, as a son of the church. Rest satisfied therefore with your own dominions, and exert yourself in preserving the public tranquillity. For whoever shall presume to molest the child of our election shall be instantly excommunicated\*."

Frederic was so highly offended when he heard of this fresh instance of papal arrogance, that he complained of it, as an indignity offered to the representative of the Cæsars. A cardinal, who heard him, asked with an insulting smile, "*By what means he obtained the crown of the Cæsars, unless he received it from the pope?*" Voltaire, Essai sur l'Histoire.

\* Schmidt, III. xvi.

CHAP. The insolence of papal pride grew daily  
 IV. greater. Nicholas I. wrote to Stephen, count  
 of Auvergne ; “ We have been made acquainted with your profligate and ungodly way of life, and by our *apostolical authority* we command you to appear before our legate, who has received instructions to examine into the truth of these allegations, &c.”†

A thousand instances of a similar nature might be produced ; but the proofs which we have already selected are amply sufficient to establish the dependency of the see of Rome on the imperial throne‡. Carried by the current of events to advert to the celebrated quarrel between the mitre and the crown, we deemed it desirable to put the reader in possession of certain facts, which might enable him to decide for himself in a dispute which, though not immediately connected with the history of Helvetia, can never be misplaced in any work professing to discuss the affairs of Europe during that disastrous period of usurpation and anarchy.

† Epist. 66, ad Stephanum Comitem Arvernum, ap. Harduin. coll. conc. V. 305.

‡ Mosheim, II. 75, &c.

Monastic institutions found their way into CHAP. France immediately after the conversion of IV. the Gauls under Clovis. It may not perhaps prove disagreeable to the reader, to meet with a short sketch of the origin and progress of a profession which obtained such extensive influence over society, and which in one of its diverging branches bid fair to usurp an unlimited empire over the consciences and the opinions of mankind. Monachism was the offspring of Egyptian enthusiasm, whence it rapidly spread over the eastern world. The warm sun of Africa, and the heated imaginations of its inhabitants, were peculiarly favourable to its growth. But like other productions of the earth, when transplanted from their native spot, it was varied in its character by those of the soil and climate in which it was cultivated. In the southern provinces of Europe it maintained something of its characteristic qualities; but, in proportion as it migrated toward the north, it gradually declined from its primitive fervor\*.

The

\* This remark may, possibly, at first sight be deemed paradoxical. It may be urged, that the cold climates

CHAP. The serious and reflecting character of the

IV. Egyptians formed so strong a contrast with Gallic levity, that it was scarcely possible for the same regulations to amalgamate with both.

- If we examine the religious ceremonies of the ancients with a critical eye, we may easily discern, that they were almost exclusively calculated for the modes and habits of the particular people for whose use they were originally framed. Even the Mosaic code is of this description, and was evidently designed for the inhabitants of a warm climate. It is the peculiar and appropriate distinction of Christianity, that it is free from all local tenets, and by it's comprehension adapts itself to every age and country. Yet applicable as this observation may be to the general doctrines of the Gospel, considered as a perfect

of northern Europe are less repugnant to a system of celibacy than the scorching suns of the south. But it must be remembered that an institution, which is diametrically contrary to the strongest instincts of nature, requires a more than common degree of enthusiasm for it's support. Our imagination is not sufficiently exalted for so refined a system. We go to Heaven in a more rational way.

system

system of morality, it is by no means equally CHAP.  
 so to the various sects which, in the succes- IV.  
 sion of eighteen centuries, have sprung from  
 that source of truth. In proof of this ob-  
 servation, we must beg leave to recall to the  
 reader's attention the vast variety of reforms,  
 which have taken place in most of the reli-  
 gious orders; and which may be ascribed as  
 much to the mistaken views of the original  
 founder, as to a love of novelty, or a thirst af-  
 ter celebrity, on the part of the innovators.

During the sixth century, St. Benedict in-  
 stituted his celebrated order, which soon be-  
 came so fashionable on account of the popu-  
 larity of its patron, that monasteries were  
 established in every country in Europe. In  
 a short time the Benedictine friars grew into  
 the highest estimation with all who practised  
 the duties of devotion, or who aspired to the  
 reputation of piety. Their life was regarded  
 as more edifying, their zeal as more fervent,  
 and their prayers as more efficacious, than  
 those of the secular clergy. The advantages  
 to be derived from this prevailing prejudice  
 were too manifest to be overlooked by a body  
 of men, who in spite of all their professions of

CHAP. disinterested humility, were never inattentive  
 III. to their worldly concerns.

Yet notwithstanding the general prepossession which exists against a monastic life, it is but justice to acknowledge, that the literary world owes no trifling obligation to its members. Many of the most brilliant productions of human wit would have perished irretrievably in the confusion of the lower ages, had they not been preserved amidst the learned lumber of a cloister. True it is, that the devout fathers were for the most part ignorant of the treasures which they possessed; and would have preferred the dullest treatise on theology to all the collective genius of the Augustan age. Yet still, as the guardians of learning, they merit indulgence from every true friend of literature and civilization.

Schools, likewise, were established in many opulent monasteries; particularly at Fulda,\* Corbey, and St. Gal. Libraries also became an object of vanity; while convent vied with

\* This celebrated monastery was founded in 744, by Bonifacius, a man distinguished by the honourable appellation of the "*Apostle of the Germans.*" Mosheim, II. 206.

convent



convent in an honourable competition, which should procure the most copious, if not the choicest collection of books. This spirit of rivalry by degrees extended so far, that the magnificence of the copy became at length an object of research and of triumph; and, in order to render it more splendid, recourse was had to painting. This accounts for the numbers of illuminated missals to be met with in all monastic libraries.

About the middle of the tenth century \*, a faint ray of intellectual light began to dawn amidst the universal gloom. We are told, that the monks of St. Gal were distinguished for their knowledge of the Greek and Latin

\* During the three preceding centuries the divines were exclusively occupied in collecting the opinions and authorities of the *Fathers*, whose writings they regarded as the boundaries of truth, beyond which the researches of human reason were forbidden to proceed. The Aristotelian philosophy was now taught universally in the public schools, to the exclusion of that of Plato, which was involved in the disgrace of Origen. Among the writers of this period, none contributed more to give celebrity to the Stagirite, than John Damascenus, who composed a treatise on the system of Aristotle, for the instruction of men of common capacities. Mosheim, II. 55.

languages,

CHAP. languages, and that they had sufficient dis-

IV. {cernment to prefer the elegance of Horace, and the fire of Homer, to the dry pedantry of polemical disquisition, and the speculative jargon of theology. The progress made by the Arabians in every branch of science began to excite a spirit of emulation among the southern nations of Europe. Our knowledge of the mathematics, of astronomy, and of medicine, was in a great measure borrowed from the Saracen schools; and hence the followers of Mahomet may with reason boast of being the restorers of learning in the Christian world †.

Hedwig, duchess of Surland, is praised by contemporary writers, not only as the patroness of men of letters, but for her classical knowledge and her refined taste. Captivated by the brilliancy of his talents, and possibly still more by the charms of his person, she selected Eckard, a celebrated scholar of St. Gall, to be the companion of her literary pursuits. With him she passed whole days in classic retirement, reading and meditating on the productions of Roman or of Attic

† Histoire Littéraire de la France.

genius.

genius. When we hear, however, that a beautiful and accomplished princess abandons the world for the society of a juvenile friend of the other sex, it is perhaps difficult to conceive that the study of the ancients is the sole object which she has in view. CHAP. IV.

Bruno, archbishop of Cologne, and brother to the emperor Otho, was remarkable for his knowledge of the Greek language. If metrical composition deserve the appellation of poetry, it prevailed in Germany, at an early period, in the Latin tongue. The pious Ditmar began every book of his history in verse. Solomon, bishop of Constance, wrote several poems in Latin. But if we look for brilliant metaphors, harmonious numbers, or classic purity in any of these productions, we shall be greatly disappointed. A few passages may be selected from the writings of the learned Gerbert, and from those of Waldron, bishop of Strasbourg, which exempt them from this general censure. Croswich, a nun of Gundersheim, in the tenth century, apologises for her taste in the following manner: "There are Christians," says she, in the preface to her Sacred Dramas, "*whose faults I hope are venial,*

CHAP. *venial*, but who, on account of the elegance  
 IV. of the style, prefer many of the heathen writers  
 to the Holy Scriptures themselves. Some  
 even read Terence with delight, and are induced by the beauty of the language to *pollute their eyes with such unholy things*\*.”

The German historian Witichind †, who after the days of Charlemagne first ventured to depart from the dry manner of the chroniclers, and to attempt a regular and connected narrative, appears clearly to have been acquainted with Tacitus, and to have taken his style for a model. Ditmar, bishop of Mersebourg, though continually led astray by visionary ideas, and the pious dreams of enthusiasts, in some degree requites the patience of a reader by many curious and original anecdotes,

\* Schmidt, IV. vii.

† History, barbarous and perplexed as it then was, appears to have been the favourite study of many of the most learned monks. But their productions were uninteresting, and strongly marked with the ignorance and superstition of the age. Of this description were Abo, Luitprand, Fulcuin, Flodoard, &c. who, though of various merit, were all unacquainted with the true spirit of criticism; all destitute of elegance and perspicuity; and all strangers to the rules of historical composition. Mosheim, II. 395.

Toward

Toward the close of the eleventh century, CHAP. the drooping sciences found an illustrious IV. supporter in the learned Gerbert; who was afterward raised to the pontificate, by the name of Sylvester II. The genius of this celebrated man, though capable of embracing every branch of study, was particularly directed to the mathematics. In the high situation which he filled, he exerted all his influence for the encouragement of learning. Conscious of the inferiority of the Europeans in all literary acquirements, he passed a considerable time at the universities of Cordova and Seville, in order to attend the lectures of the Arabian Professors. And it is probable that the world was first instructed by his example to direct their attention to those copious sources of science and information\*.

In the course of the following pages we shall have occasion so frequently to refer to the imperial authority, that it may not be improper to examine into it's nature and extent. Such an inquiry will enable us to form a juster opinion of the conduct of the House of Austria, in their memorable struggle with the Swiss.

\* Mosheim, II. 397.

CHAP. Under the Saxon line, there is little doubt that  
IV. the head of the empire was considered not only  
as the legislator, but as the chief magistrate  
of Germany. Wherever he came all other  
authorities ceased, or at least acted in sub-  
ordinate capacities. His tribunal was para-  
mount to every other, and extended over  
persons of every rank and description. Ex-  
amples are not wanting to show, that even  
counts and dukes have been degraded for  
malversation. The ancient law-books are  
filled with the decisions of the emperors, in  
disputes between the different princes of  
Germany. Yet still the emperor does not  
appear to have acted at all times with an  
independent and uncontrollable sway, but  
usually to have recurred to the advice of  
persons of the same condition, and generally  
of the same province with the delinquent.  
This was done in conformity to an ancient  
edict, which enacts, that *every one shall be  
tried by his peers, or equals.* But as it was  
impossible for the head of the empire to  
preside in different tribunals at the same time,  
or to transport himself to it's distant extreni-  
ties, with the promptitude which the decision  
of

of processes might frequently require, the office of *Count Palatine* was instituted. The business of this magistrate was, to superintend the administration of justice in the various provinces. To him an appeal lay from the ordinary tribunals, in causes which were not of sufficient importance to be carried before the emperor in person. By him too was the *imperial ban* published, and by him were the finances administered. These officers were first established in Bavaria, Saxony, Suabia, and the other provinces which border on the Rhine \*.

No prerogative was more valuable, and none more frequently abused, than the right of disposing of the domains of a prince who had died without heirs, or who had been deposed by the imperial ban. Thus Conrad gave away the duchies of Bavaria and Saxony, after declaring Henry under the ban of the empire; and Frederic II. took possession of Austria after the death of the last duke. This important prerogative was, indeed, a frequent source of contention between the emperors and the princes: the former naturally wishing

\* Schmidt, IV. ix.

CHAP. to appropriate the confiscated territory to  
IV. the aggrandisement of their own family, and  
the latter contending that it ought to be converted into an imperial fief.

During the reign of Henry I. a remarkable change took place in the political situation of Germany. The great number of towns and cities which had been built in all parts of that extensive country, in imitation of the laudable example which he had given in Saxony, called forth a new class of men, that of the *burghers*. Henry's great object was to encourage commerce, and thus increase the comforts of his people. For though it has justly become a question with the philosopher, whether the spirit of commercial enterprise may not be carried too far, none (it is presumed) will hesitate to admit that few instances can be produced, in the annals of the world, of a nation's having suffered from such a cause.

Ditmar informs us, that eleven cities were built between Mersebourg and Magdebourg. We may hence infer what kind of cities they must have been. Many of these, recorded under this pompous title, are now dwindled into insignificant villages, or have entirely disappeared.



disappeared. From an accurate inquiry into the internal state of these newly-erected towns it appears, that they were in general dependent on the lord in whose territory they were founded, and from whom their franchises were derived. But as the principal object of the founder was naturally to procure inhabitants, it became essential to attach some peculiar privileges to the character of *burgher*, by which he might be distinguished from the abject condition of *peasant*.

Hitherto the *people* had been treated as mere cyphers in political arithmetic. But no sooner did the clergy and nobles appeal to the sword, in support of their respective usurpations, than they began to consider their vassals as capable of throwing some weight into the scale. Till then they had been attached, like stock, to the glebe which they cultivated, and valued only in proportion to the labour which they were able to perform. Both parties however at length discovered that the heart of man, even in the most abject state of degradation, is composed of the same materials; that it is awakened by benevolence

VOL. I.

M

to

CHAP. to a feeling of gratitude, and goaded by oppression to a sentiment of revenge.

IV.

The frequent intercourse with Italy contributed likewise to improve the municipal government of the German cities. Their rulers were struck with the manifest superiority of the Italians in every refinement of polished life. In Italy, the burghers had long been divided into *trades*, or *fraternities*. The same system was adopted by most of the commercial cities on the northern side of the Alps. Each of these companies had its distinctive banner, and was marshalled under its respective officers. No sooner did the alarm-bell sound, than they ran to arms, and appeared at the appointed spot in battle array.

The discovery of the mines in the mountains of the Hartz, during the reign of Otho I. proved a powerful incentive to national industry. The mechanic arts were henceforth cultivated with zeal, and with success. Artists of every description found materials for the exercise of their talents, and the display of their ingenuity. We are informed, that a small

small equestrian figure of Henry I. was placed in the church of Mauerkirchen, in Bavaria, in the year 948; which, should Aventin be correct as to dates, is probably the oldest specimen of sculpture existing in Germany\*.

It was natural to expect, that a change so considerable in the physical position of the Germans, would occasion one equally striking in their moral character. We may in consequence discover in most of the trading cities, and in the capitals of the different states, a very material alteration in the habits of life. The pious Ditmar was alarmed at the progress of vice, and pathetically laments it. Speaking of Otho I. he says, "In those happy days the courtiers resembled their master; and frugality presided at their entertainments. The golden mean was their constant guide. With them every species of virtue flourished, and with them died"†. What would the good man say,

\* Schmidt, IV. vii.

† *Sicut dominus, sic et principes ejus fuerunt. Non eos ciborum, seu aliarum rerum superflua varietas, sed in cunctis delectabat 'aurea mediocritas.' Omnes, quæ leguntur, virtutes his degentibus flourerunt, his obeuntibus marcefferunt.* Ditmar,

CHAP. could he take a view of the present state of

IV. society! So true is it, that luxury is merely  
relative, and must from the necessary course  
of human affairs, keep pace with national improvement\*. In another part of his work he breaks out into invectives against the expense of female dress. "Our women," he observes, "are no longer satisfied with that decent simplicity, which was the characteristic of a German matron. To please the eyes of a lover, or to captivate the admiration of the public, is now the chief study of their lives." When we contemplate in some of the ancient paintings the modes of dress which then prevailed, we can hardly persuade ourselves that the pious bishop was serious in his charge; so mistaken were the ladies in the means which they employed.

From the lamentations of this devout prelate we might be induced to suspect, that something like polished manners prevailed in the intercourse between the higher orders of society, did he not by another anecdote al-

\* M. de Fleury declaims against the luxury that prevailed in the eleventh century!

most

most immediately convince us that the refinement of which he complains so bitterly would scarcely pass under that title in the court of modern Abyssinia. At a splendid entertainment, given in Saxony during the reign of Otho III. the sisters of that monarch were just sitting down to dinner, when the margrave of Meissen, the duke of Saxony, and the bishop of Halberstadt entered the room with the voracious appetite of hunters, and in a few minutes devoured all the provisions which were prepared, very gallantly leaving the princesses without any thing to eat\*.

About the reign of Rodolphus, a love of pomp and a taste for splendor became the leading passion of the European Courts. Every consideration was sacrificed to vanity. The revenues of several years were wasted in preparations for a single tournament. We learn that at a diet held at Mentz in 1182, when prince Henry received the honour of knighthood the quantity of provisions consumed exceeded all belief. Of the numbers

\* Ditmar, p. 361.

CHAP. who were present we may form some idea,  
 IV. when we hear the Archbishop of Cologne was  
 attended by four thousand six hundred horse.

After apologising for this long digression, we must return to Switzerland, where the first thing that solicits our attention is the predominant influence of the clergy. The prodigal piety of preceding ages had endowed the church with such extensive possessions, that few spots remained totally exempt from their jurisdiction or their claims. From this augmentation of property it became necessary for the monastic orders to intrust the administration of their domains to a *bailiff*, or advocate. This office was of considerable importance, and will frequently be mentioned in the following pages. To ascertain its exact prerogatives would be no easy task. They appear indeed to have been in a great measure regulated by the rank and condition of the person by whom it was exercised. In its origin it was indisputably personal; and its possessor was little more than an *agent*, or *steward*, to administer the revenues of the bishopric or monastery. But in process of time it was converted into an hereditary dignity,

dignity, and became an office of so much consequence, that it was filled by persons of the highest distinction. CHAP. IV.

The bishops of Bâle, Constance, and Lausanne held a distinguished rank among the princes of Helvetia. Their power was extensive, but does not appear to have been always employed for the maintenance of order, or justice, or morality. Innocent II. in a letter to the bishop of Lausanne, complains of the general corruption which prevailed throughout his diocese. "Murders are daily committed," says the indignant pontiff, "and women violated, even in the public streets, with impunity." Let it not, however, be supposed that this defect of energy proceeded from the weakness of the episcopal arm. The authority of those haughty prelates was erected upon a more solid foundation than that of opinion. They were usually attended by a numerous train of dependents, who were ready at all times to execute their commands with the most abject submission. We shall leave to the laborious antiquary the ungrateful task of determining the precise period when these several sees were established.

CHAP. That the Christian religion obtained a very  
 IV. early footing in Helvetia may be inferred from  
 the ancient legends; but every thing previous to the reign of Gundioch is involved in almost impenetrable obscurity.

The see of Coire is said, in legendary story, to have been founded by the son of a British monarch, to whom the name of Lucius is given; and we find in reality, the most ancient church in that city is actually dedicated to St. Lucius\*.

\* In these dark ages the adoration paid to bones and relics was regarded as the most important duty of religion. A general belief existed, that no petitions could find access to the Deity, except through the recommendation of some patronizing saint. Hence every church, and almost every Christian, had a *particular* patron, for the management of his spiritual interests; lest they should suffer from the neglect of those saints who were already occupied in providing for the souls of other men. A notion so extravagant rendered it necessary to swell the Roman calendar to a prodigious size; and all the resources of fable and fiction were accordingly employed to people the celestial regions. Many of these ridiculous legends are still to be found amidst the ruins of the Romish church; which appear to have been forged by the monastic writers about the time of Charlemagne. Mosheim, II. 324, &c.

The



The bishopric of Sion dates from the remotest times. The importance of its situation, as a military post, induced Charlemagne to augment its revenues by considerable donations; as he thought he had less to apprehend from the ambition of a prelate than from the turbulence of his barons.

We have already had occasion to mention the numerous religious foundations which sprung from the ill-directed devotion of an unenlightened age. Many of them are attributed, by the early writers, to the missionary zeal of the Irish\*. For the proofs of this assertion, we must refer the reader to the monkish historians, from whom he will learn that Columban and Gallus†, in company with several other godly personages, migrated from their native morasses to diffuse the light of the Gospel among the inhabitants of the Alps. Sigebert, who was one of this devout troop,

\* Many Scottish and Irish missionaries (as we have already observed) preached the Gospel in Germany, and the adjacent districts. This circumstance may account for the number of convents which were founded in Germany for students from those countries, some of which are still in existence. Mosheim II. 256,

† Muller, I. ix.

having

CHAP. having penetrated into the uncultivated valleys of Rætia, fixed his habitation in a sequestered spot near the source of the Rhine; where having gained an ascendancy over the rude minds of the natives, by the fervor of his eloquence and the austerity of his manners, he at length founded the abbey of Dissentis, which was successively endowed by pious princes, and in particular by the empress Cunigonde, the wife of Henry II.

The glowing devotion and active benevolence of Gallus gave celebrity to a romantic spot near the lake of Constance, on which, in honour of his memory, was built the magnificent abbey of St. Gal. Few foundations in Europe have contributed more essentially to the preservation of literature. Its library was a repository, in which the works of Quintilian, the history of Ammianus, and Cicero's book on the laws, were secured from the destructive depredations of ignorance and bigotry; ravagers often more fatal to learning than the hordes of a barbarian army. Neither did many of its treasures escape the indefatigable researches of Poggio Bracciolini. From its schools, as from a general centre, the light of

of reason burst over the surrounding provinces CHAP.  
 of Helvetia, and conduced materially to the IV.  
 revival of letters.

But, among the religious institutions of Helvetia, none was an object of such profound veneration as the celebrated monastery of Einsiedlen. It was founded in the ninth century, by Meinrad\*, the only son of Bertold, Count of Hohenzollern. Educated in the lap of affluence, and endowed with every talent to adorn the highest station, he was doomed to behold the flattering promise of his youth suddenly blasted. Deceived in the object of his tenderest affection, and betrayed by the friend in whom his generous soul reposed unbounded confidence, he abandoned the world in the bloom of life. His heated imagination took a different direction; and the fervor of religion succeeded to the enthusiasm of love. Every spot that bore the faintest vestige of human improvement became hateful to him, for with the labour it recalled to his recollection the perfidy of man. The gloomy solitude of

\* Muller, l. xi.

CHAP. Mount Etzel was more congenial to his feel-

IV. ings. Having constructed a hut of roots and moss, he spent the day in prayer and meditation, and the night in tears. A pious matron of the town of Altorf, having discovered his retreat, caused a small but more commodious habitation to be erected, with an adjoining chapel. To this he removed, and occupied it during seven years, an object of veneration to the surrounding country. Crowds of pilgrims flocked daily to his cell, the afflicted receiving comfort from his exhortations, the profligate being converted by his admonitions, and the penitent deriving courage from his prayers. Fatigued at length by the incessant interruptions which withdrew his soul from contemplation, he departed in secret to a sequestered forest near the present convent of Einsiedlen, where at a distance from the haunts of men, he once more abandoned himself to solitude and devotion. The abbess of a neighbouring convent, on the lake of Zurich, was no sooner made acquainted with the austerity of his life, than she prevailed upon him to permit her to supply the place of his former benefactress. A chapel was erected  
on

on the site of of the present monastery, and, CHAP.  
 like that, dedicated to the holy virgin\*. In a IV.  
 contiguous cell Meinrad lived for thirty-two  
 years, with the reputation of perfect sanctity,  
 when he was assassinated by banditti. Le-  
 gends add, that two crows, which he had edu-  
 cated from their nest, pursued his murderers  
 with unremitting perseverance, till by their  
 horrid screams they awakened their consciences  
 to such a sense of guilt, that they surrendered  
 themselves into the hands of justice †.

The contentious spirit of the laity proved  
 a productive source of prosperity to the  
 church; as it was not unusual for the opulent,  
 by liberal donations to some religious house,  
 to provide for themselves a sanctuary in the  
 event of any sudden reverse. Alienations of  
 this kind were, in general, popular; monas-  
 tic establishments being for the most part  
 favourable to agricultural improvement; and  
 in their jurisdiction less oppressive than the

\* For a further account of the many miracles per-  
 formed at the consecration of this splendid fabric, we re-  
 fer the reader to the learned and credulous Calmet; in  
 whom he will find a very minute, if not a very satisfac-  
 tory, detail.

† Chronicle of Einsiedlen.

authority

CHAP. authority of the barons. Exclusively of the  
IV. valuable acquisitions likewise which they daily  
made, most of these ecclesiastical institutions  
were amply endowed by their original found-  
ers. The town of Lucern, with all its de-  
pendencies, was subject to the monks of Mur-  
bach in Alsace ; while the canons of Lucerne  
possessed a claim to the greater part of the  
canton of Unterwalden. Many abbots had  
been decorated with the pastoral cross, and  
took their seats among the princes of the  
empire. Of this number was the abbot of  
St. Gal.

The influence of so numerous and power-  
ful a body, over every class of people, was  
beyond belief. A more intimate union be-  
tween it's different branches indeed, would  
have enabled the church to attract every  
thing within it's insatiable grasp. Fortu-  
nately for Helvetia, the ambition of the  
clergy was not yet reduced to that systematic  
form which it afterward assumed under the  
artful guidance of Rome. Every religious  
society was, at that time, absorbed in schemes  
of private aggrandisement. There was no  
uniformity in the plan, no co-operation in the  
attack.

attack. The Jesuits have since taught the CHAF, world what wonderful things might have been IV. achieved by regulated craft in an unenlightened world.

The ascendancy of the nobles became every day more considerable ; but their pride and arrogance more than kept pace with their power. So that, while they exacted the most implicit deference from the subordinate ranks of society, they haughtily refused to acknowledge a superior.

This unsettled state of government, both in France and Germany, proved peculiarly favourable to the encroachments of ambition ; nor was the weakness of the reigning princes by any means calculated to inspire that salutary awe, which in an age of unbounded licentiousness can alone conduce to the maintenance of social order.

Such appears to have been the situation of Switzerland, from the beginning of the tenth to the close of the twelfth century. In the Alemannic provinces a permanent system of government is scarcely ever to be traced. The Burgundian princes, who owed their crown to the suffrage of the people, enjoyed  
at

CHAP. at best but a precarious authority: and were

IV. frequently reduced to that most distressing of all situations, when no choice was left them except between the extremes of evil; humiliating condescensions, or open rebellion.

To these high-spirited chiefs a numerous body of inferior nobility looked up for support, who were either fed by their bounty, under the equivocal title of officers of state, or attached to their interest by the ties of feudal obligation. Honours were also conferred as the rewards of valour, and dispensed with a lavish hand to those who distinguished themselves in the holy wars. For it was found that recompenses of this nature frequently contributed to sustain the ardor which might have cooled had it been fed by no other fuel than that of devotion. This general prostitution of dignities degraded them in the estimation of all men who were capable of forming a rational conclusion. When they beheld whole crowds, whom they had been taught to contemplate with an eye of reverence, dependent on the precarious bounty of the great, they ceased to consider them as beings of a different species from themselves. Nor shall

we



we find cause to wonder at this change of opinion, when we are told that ancient writers make mention of more than twelve hundred noble families who flourished in Switzerland in the course of two centuries.

It is an object of curious research to investigate the rise and progress of the three different orders which constitute every political association. The NOBILITY, whose original is coeval with the introduction of feudal manners, derived an unbounded influence from the abuses of that barbarous system; and for a long time formed a point in the social circle from which every thing diverged, and in which every thing centered. It is by no means our intention philosophically to analyse the wisdom of an institution which added a stimulus to the human mind. The fountain of honours is a stream, whence the most brilliant achievements have frequently flowed. All the refinements of chivalry, that eccentric system of romantic virtue, which exhibits the human character in so strange, though so dignified, a dress—with all its splendid train of

Stumpf.

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N

appropriate

CHAP. appropriate duties, which first softened down the ferocity of martial habits, and humanised the mind for familiar intercourse, are derived from the same prolific source. As the recompense of public service, dignities may be dispensed with advantage. They are a cheap and an enviable distinction. It is only to be regretted, that the brilliant talents which first merited the title do not invariably descend to it's heir.

At the period, which we are describing, these high-strained ideas of perfection are nowhere to be found. The despotic power of the baron arose solely from the terror he inspired. Neither was his castle the abode of hospitality, nor was his sword employed in defence of innocence. On the contrary, the affrighted peasant fled at his approach, or trembled at his name; while his impotent sovereign, assailed on all sides by the complaints of an outraged people, was reduced to the bitter humiliation of remaining a tranquil spectator of crimes which his authority was unable to restrain.

In this hopeless state of barbarism another class of men emerged from obscurity. We have

have already seen in what manner the CLERGY threw aside their primitive character of humility, and arrogated to themselves prerogatives which are totally inconsistent with the limited faculties of men. Hence arose that fatal contest between the church and the state, which distracted Europe during a long period of ignorance and superstition, and rendered the triumph of anarchy complete. Among the most crying abuses of papal power none has been employed with greater effect than excommunication: An engine, which properly directed, and used only for the chastisement of impenitent guilt, might have been productive of the greatest benefit to the cause of morality, became the most destructive weapon that ambition ever employed. It is curious enough to remark the gradual progress observed in the rising scale of maledictions, in proportion as those with which the ear was familiar decreased in efficacy; till we ultimately find the earthly representative of the King of Mercy vomiting forth anathemas and execrations against his Christian brethren, for the slightest shade of difference in their religious opinions, which would have sounded harshly in

CHAP. the mouths of devils \*. Personal merit, or lite-

**IV.** rary attainments, were rarely attended to in the disposal of the higher benefices of the church, which were almost exclusively confined to the nobility. So long, indeed, as the prejudices of the age attached the performance of military service to the possession of the first ecclesiastical dignities, it was scarcely to be expected that the mitre should ever find it's way into a plebeian family. The inferior clergy were exempt from the burthens of war, but were bound in all the duties of *soccage* to the lord under whom they held their lands.

The PEOPLE, as we have already observed, were daily gaining ground. Slavery is the offspring of ignorance ; and cannot long subsist in an enlightened age.

At the accession of Rodolphus to the imperial throne Helvetia was divided into a variety of little states. Among the most powerful of the independent barons were the counts of Toggenbourg and Rapperswyl, who were masters of that remnant of the Thurgau, which was still unoccupied by the weakly

\* Mosheim.

prelates of Constance and St. Gal. With the exception of some few lordships which belonged to the houses of Lansberg, and of Baden, the canton of Zurich was subject to the potent family of Kyburg. The towns of Arberg and Zofingen, with the whole western bank of the Aar from Olten to Bibenstein, obeyed the counts of Froburg and Bucheck. In the canton of Bâle, the most considerable families were those of Thierstein and Homberg. The domain of the count of Rothenberg lay contiguous to the lake of Lucerne. On the extinction of the House of Zaringen, Thun and Burgdorf devolved to the house of Kyburg. Among the mountains of Berne we discover the lords of Wiflisbourg. The great possessions of the house of Neuchâtel had lately fallen between four collateral branches; Neuchâtel, Arberg, Valendis, and Nidau. The town of Granson was subject to its distinct lord. The dominions of the house of Savoy extended to the southern shore of the lake of Geneva, and thence to St. Mauritius; while on the northern extremity it comprehended the whole country between Lausanne, Morat, and Iverdun. So far back

CHAP.  
IV.

CHAP. as the eleventh century, this ambitious family

**IV.** obtained a footing in one of the finest provinces of Transjurane Burgundy; and the counts of Morienne procured the investiture of the duchy of Chablais from the emperor Conrad II. in which grant both Vevais and Bomon were included. The inhabitants of the lower Vallais, who were less indebted to nature than their neighbours for local strength, were subject to the same jurisdiction\*.

But formidable as the house of Savoy at first sight appears, it was, in reality, far less to be feared than that of Hapsburg. From the remotest times the towns of Altenburg and Bruck, both places of considerable strength, belonged to that potent family. Hapsburg itself was built in 1013 by Radpot, an ancestor of Rodolphus, who was assisted by his brother, the bishop of Strasbourg. When complete the prelate visited the castle, and having examined it with an attentive eye, observed that the magnificence of the edifice by no means corresponded with the greatness of the expense. Radpot made no reply, but

\*Muller, Tscharnier, Stumpf. Watteville, &c.

calling

calling out his numerous train of dependents, <sup>CHAP.</sup> and pointing to them exclaimed; "It is not <sup>IV.</sup> ~~to~~ to the strength of our castles alone, but to  
 " the numbers and discipline of our sol-  
 " lowers that we must look for the future  
 " glory of our race."

Notwithstanding the truth of this obser-  
 vation, which seems to have been treasured up  
 as a leading principle to direct his posterity  
 in the paths of ambition, it is nevertheless re-  
 markable that the Austrian family has been  
 more frequently indebted to alliances, than to  
 conquest, for their immense acquisitions\*.  
 The emperor Rodolphus inherited from his  
 mother the counties of Lensberg, Baden and  
 Kyburg, the town of Winterthur, with the  
 langraviates of Zug and Thurgau. The  
 counts of Lauffenbourg, who were descended  
 from the same progenitors, possessed the  
 towns of Lauffenbourg, Waldshut, Rheinfeld,  
 and Seckingen: While another, but more  
 distant, branch governed the principalities of  
 Burgdorf and Thun.

\* The fortunate alliances of Austria gave rise to the  
 following lines:

*Bella gerant fortēs: tu, felix Austria, habes;  
 Nam quæ Mars aliis, dat tibi regna Venus.*

CHAR. The chief authority in the Grisons, the  
 IV. ancient Rhoëtia, centered in the bishops and  
 counts of Coire; the Lords of Sargans and  
 Werdenberg had also considerable possessions  
 in that country.

The evident superiority of the houses of  
 Hapsburg and Savoy over the rest of the  
 Helvetic princes seemed clearly to announce  
 that the whole of Switzerland was ultimately  
 destined either to be divided between them,  
 or, if they should disagree in the parti-  
 tion of the prey, to be swallowed up by  
 the successful competitor. Hitherto, indeed,  
 the attention of the latter had been parti-  
 cularly directed toward the plains of Lom-  
 bardy, while the former confined their views  
 to northern Helvetia; but the attainment  
 of the imperial crown opened a wider field  
 to the aspiring genius of Rodolphus, and  
 taught him to cherish sublimer projects. No  
 state of existence can be deemed completely  
 wretched while the mind is supported by  
 hope; but to the Helvetic peasant no object  
 presented itself that could inspire comfort, or  
 solace despair. In the sad vicissitude of mi-  
 litary triumphs he might possibly experience  
 a change

cal



a change of tyrants ; but a change of destiny was a blessing too great to be expected.

CHAP.  
IV.

Still however there existed in Switzerland some towns, which in quality of imperial cities laid claim to a variety of privileges, which not only rendered their existence less burdensome, but which even served as a foundation for future emancipation. Of this description were BALE, SOLEURE, BERNE, and ZURIC. Some of the lesser cantons also, notwithstanding the pretensions of the church, enjoyed under the protection of the empire a constitution in many respects democratical\*.

Zuric was, at that time, the most considerable of the Helvetic cities, on account both of it's antiquity and of it's commerce. The ancient Turicum perished by the inconsiderate fury of the Helvetii, as a prelude to their invasion of Gaul ; but by degrees it recovered from its ruins, and the foundation of two celebrated abbeys, by attracting continual crowds of votaries, created a permanent source of augmenting prosperity ; henceforth it was regarded as the capital of the adjacent

\* Stampf. Hotting. Spec. Tig.

provinces.

CHAP. provinces. It was the place where the govern-

IV. { nor resided, and where the tribunals of justice were held. The concurrence of so many favourable circumstances, added to the advantages of local position, invited artisans and manufacturers from every quarter, whose exertions and ingenuity gave wealth and celebrity to the rising city.

If we examine the form of government which prevailed in Zurich at this early period, we shall find cause to admire the wisdom of its institutions. The executive power was lodged in a council of thirty-six members; over whom the imperial prefect presided. Twelve of these were in active situations, and remained in office for the space of four months, when they were relieved by an equal number; so that, in the course of a year, every member by rotation was charged with the superintendence of the public affairs. The nomination to these important functions was originally vested in the lady abbess, but was transferred to the burghers by Frederic II. when Zurich was raised to the rank of an imperial city. After the extinction of the house of Zaringen the office of imperial governor

seems

seems entirely to have ceased. So that, in CHAP. fact, Zurich had been making progressive steps IV. toward independence long before the violence of Albert kindled the flame of liberty. In the year 1230, a dispute arose between the citizens and the clergy, with respect to the payment of certain territorial imposts, from which the latter claimed an exemption. Parties ran so high that the ecclesiastics proceeded to extremities, and had recourse to their usual weapons, the thunders of the church \*. This conduct was alarming in an age of ignorance, and might have been attended with fatal consequences, had the courage of the burghers given way. But notwithstanding the numerous inconveniences arising from a temporary suspension of commercial intercourse, they persevered with spirit, and finally resolved to banish priests of every description from their territory, unless they consented publicly to retract the interdict, and thenceforth to renounce the use of so dangerous a weapon, till expressly

\* Tscharnier.

CHAP. authorized by the then incontrovertible  
IV. authority of Rome.

After the demise of the emperor Frederic the citizens of Zurich shook off every vestige of dependence on the house of Suabia, and contracted an alliance with the forest cantons for their mutual defence\*. Neither were they wanting in other precautions; but in order to give additional strength to the union they made advantageous overtures to the count of Regensburg, provided he would join in the league. These offers were however refused, as Regensburg had other views, and hoped by his treacherous practices to establish a more solid dominion. Disappointed, but not discouraged, they had recourse to the house of Hapsburg: and the tempting proposals were accepted by Rodolphus without hesitation. An intimate union now took place, and a combined army entered the territory of Regensburg, to punish the haughty count for his imprudence. In a few weeks all the fortresses, which were objects of jealousy to the rising power of Zurich, were

\* In the year 1240.

taken

taken and destroyed ; and their proud owner CHAP.  
 was reduced to the humiliating necessity of IV.  
 supplicating for peace to a people whose al-  
 liance he had so lately rejected with disdain.

Berne, though by no means a city of equal importance, was in possession of similar immunities. We have already been made acquainted with its origin. The spot, selected by Bertold for the site of this fortress, was chosen with his wonted judgment, being in every respect calculated to secure it against surprise, in an age when military tactics were yet in their infancy. As an asylum against the oppression of the great, the unfortunate flocked thither from all quarters, so that there are few instances in history, of any social establishment having increased with greater rapidity. We should form however an erroneous idea of this little state, were we to suppose that it possessed either those internal comforts, or that external consideration, to which, under the benign auspices of liberty, it subsequently attained. On the contrary, its powers were contracted, and its destiny was precarious. Neither was it possible for the citizens to preserve inviolate those privileges  
 which

CHAP. which they owed to the generosity of the

IV.

imperial crown, without the most vigilant attention. Our knowledge of the form of government which was originally established at Berne is far from accurate, as most of the ancient records perished with the greater part of the town in a dreadful conflagration. But it was certainly elevated to the rank of an imperial city by Frederic II. and was from that time placed under the municipal jurisdiction of a mayor and common council. Over these magistrates the count of Ravensberg presided as prefect. This office, however, was little more than a nominal distinction, conferred by the emperor upon a favourite, at whose death it was abolished. Every existing document indeed seems clearly to indicate that the constitution of Berne, from its very beginning, was in a great measure aristocratical, the magistrates being exclusively chosen from among the nobles. To them the direction and conduct of all military enterprises was intrusted. But whether this was a principle inherent in the government, or whether from the disproportion between the emoluments of office and its fatigues, the duties of a public

a public life were willingly abandoned by the lower orders of citizens, is a point upon which we are not competent to decide \*.

CHAP. IV.

The destiny of Soleure bore a still greater analogy to that of Zurich; with which it boasted an equal degree of antiquity. Destroyed by the incursions of the Huns and the Alemanni, it revived, like Zurich, under the fostering wing of religion; but in a state of absolute dependence on those establishments, which derived their existence from the lavish piety of Bertha, the mother of Conrad. The privilege of being governed by their own municipal officers was conferred on the citizens by the imperial bounty; but the nomination of the mayor (or first magistrate), in whom all criminal jurisdiction centered, was reserved to the emperor, as a mark of feudal supremacy. We find, however, that during the reign of Frederic II. this office became elective, though it was confined exclusively to the higher orders. Till at length the count of Bucheck, having purchased the right of nomination from the emperor Henry VII.

\* Helv. Bibl. III. 65, 118, 129, &c.

made

CHAP. made a formal surrender of it to the  
 IV. city\*.

After the destruction of Augusta, the principal city of the Rauraci, BALE seems to have been considered as the capital of that ancient province ; and, at a very early period, to have been raised to the dignity of an episcopal see.

Though overwhelmed in the general ruin which accompanied the destructive march of the Huns, it was rebuilt under the patronage, and probably by the aid, of the Emperor Henry II. Notwithstanding the immunities which it enjoyed as a free city, the liberality of the bishops appears frequently to have prevailed over the patriotism of the burghers; since we find them, at one time, in possession of the whole sovereign authority. The people however at length becoming sensible of their past imprudence, struggled to regain that independence which their own supineness, and the corruption of their magistrates had so wantonly thrown away. The most violent contests ensued ; during which the haughty prelates were driven from the city,

\* Tscharnier.

and



and compelled to take refuge in a fortress on the opposite bank of the Rhine. It was in consequence of a dispute of this nature, that the citizens applied to Rodolphus of Hapsburg for protection, and he was actually lying with his forces before the episcopal castle when he received an offer of the imperial crown\*.

Several towns, of inferior note, were likewise entitled to various privileges; while the three cantons of Uri, Schweiz, and Unterwalden had been long conspicuous for a warm attachment to liberty. Situated in fertile valleys, in the most elevated part of Europe, the inhabitants of those delightful regions were separated from the rest of mankind by a vast chain of almost inaccessible mountains, and from each other by a lake, the navigation of which is at all times perilous on account of the sudden and frequent storms which gather round the majestic summits of the St. Gothard. Though strangers to luxury, and possessing scarcely any thing of value except their flocks, and herds, this virtuous race of men cannot with propriety be called poor, since they

\* Hist. Basil, v, vi, vii.

CHAP. knew none of those factitious wants which the

IV. refinements of society have rendered necessary to opulence. Their mediocrity was regarded as a blessing, because it left them in the uninterrupted enjoyment of that freedom, which to their untainted minds appeared preferable to all the pomp and slavery of greatness. Even in these unsettled times, the form of their constitution\* bore a strong resemblance to that which afterward prevailed during the most flourishing period of their history: the same general assemblies, the same municipal establishments existed in both. The supreme criminal jurisdiction was vested in the emperor, and by him delegated to the nearest imperial commissary, who was summoned in cases of urgent necessity; for none resided in these peaceful vales†.

\* According to Mallet, the Schweitzers were a free people from their first establishment in the Alps. If we may credit tradition, they assisted in delivering Italy from the Saracens in the ninth century, and received, in consequence, from Gregory IV. the title of *Defenders of the Church*. Their connection with the empire appears clearly to have been nothing more than a voluntary association, formed upon principles of mutual utility, Mallet. I. 170.

† Stumpf. vi. Guilliman de Reb. Helvet. iii. Mallet. I, 171.

In

In this state of seclusion a virtuous mind CHAP. IV.  
might have enjoyed a degree of happiness unknown in the more boisterous scenes of active life. To the inaccessibility of their native rocks they trusted for security against external aggression; for even when the decreasing snows opened here and there a practicable passage, during the few months of summer which cheered the hoary prospect, a handful of men was able to defend the narrow defiles against invading armies. The machinations of internal foes were alone to be apprehended. Against them they had no protection, but in the closest union among themselves, or in the support of some powerful neighbour.

A donation, made by Otho the Great to the monastery of Einsiedlen, of some lands situated near the lake of Lucerne, without a correct ascertainment of their boundaries, proved an endless source of contention between the abböt and the inhabitants of Schweitz. This dispute had been formerly referred to Henry IV. and by him decided in favour of the convent. Under pretence, however, that he had been deceived by an erro-

CHAP. new statement of facts, the natives resisted

IV. the execution of the decree, and kept possession of the contested territory. Convinced of the present inefficacy of any farther attempts, the friars prudently resolved to wait for a more convenient opportunity. Nor did they revive the claim, till the pious zeal of 1144. Conrad III. seemed to indicate a more propitious issue. To him consequently they addressed themselves\*, and prevailed so far, that they obtained a confirmation of the former sentence, with a promise likewise of his support. Elated with this momentary triumph, the abbot put himself at the head of his numerous vassals, and demanded instant restitution; threatening his opponents, in case of contumacy, with the united vengeance of the empire and the church. Yet all was ineffectual. Neither the terror of the imperial arms, nor the thunders of Rome, could shake their constancy; for it was their heroic principle never to concede to violence what they had once refused to entreaty. Thus we already discover strong symptoms of that un-

\* Mallet I. 174.

conquerable

conquerable spirit; which we shall hereafter find fresh cause to admire in situations still more distressful. During the whole of Conrad's reign, the Schweitzers continued under the imperial ban; but the only effect of this impolitic measure was to excite a degree of irritation in the public mind, which no lenitives, however prudently applied, could ever effectually calm. It was not, indeed, without the greatest difficulty that they were persuaded to furnish their contingent to the emperor Frederic I. for the Italian wars, though this sagacious prince had the precaution previously to annul the obnoxious decree, and to reinstate them in the possession of their ancient immunities. From this period, all connection with foreign princes became an object of so much jealousy, that on the death of Ulric count of Lensberg, their declared patron, they embraced the resolution of asserting their independence, and trusting solely to their internal strength for support\*.

Considering this open declaration as an infringement of his royal prerogative, Otho

\* Tschudi. Harmañni Annal. Einsied. iv.

CHAP. announced his intention of reducing them to

**IV.** obedience by force of arms, and actually nominated Count Rodolphus of Hapsburg, an ancestor of the first emperor of that name, to the office of governor; investing him at the same time with unlimited powers. Yet no beneficial consequences ensued. Unawed by these pompous preparations, the mountaineers continued inflexible: Nor could the count prevail upon them to submit, till he had solemnly pledged himself to govern *according to the ancient laws and usages of the country*. This important concession, however, it appears; was insufficient to tranquillise the public mind; as he found so little reason to be pleased with his situation; that he eagerly embraced the first occasion of resigning it\*.

Henceforward, no opportunity was omitted by the forest-cantons to establish their independence on a more solid basis. During the reign of Frederic II. they took advantage of the convulsed state of the empire, to demand from his eldest son Henry a positive declaration, exempting them in future from the obnoxious jurisdiction of an imperial governor.

\* Mallet, I. 175.

This

This request was granted in the most satisfactory manner, by a letter under that prince's own hand ; in which he acknowledges them to be a free people, connected by voluntary association with the Germanic body, of which they formed a part. The only thing which now appeared to be wanting was a confirmation of this grant on the part of the emperor ; and that they obtained in the course of a very few years.

CHAP. IV.

124b.

Nothing short of this unremitting vigilance could have secured the freedom of a people, whose love of independence rendered them objects of jealousy to the neighbouring princes. Feeling that their own authority was built on the precarious basis of terror, they trembled lest the example should become contagious. Neither were the nobles less interested in suppressing a spirit which threatened the subversion of feudal despotism. But, as no rational hope could be entertained of success without the most perfect unanimity, a confederacy was formed against these rising children of liberty. The whole tribe of petty

\* Tschudi, iii.

CHAP. tyrants, in which Germany has at all times

IV. abounded beyond the rest of Europe, flew

instantly to arms. The cantons of Uri, and Schweitz, which had supported themselves with difficulty against their spiritual enemies, and the ill-humour of the emperor, began to tremble at the gathering storm. Zurich, at this time the most powerful of the Helvetic cities, seemed alone capable of affording succour to the distressed inhabitants of the Alps.

Reciprocity of interests produced an alliance.

But as the forces which they were able to bring into the field appeared unequal to the contest, prudence suggested the necessity of looking round for a more efficient ally. In consideration of a proportionate subsidy, Rodolphus of Hapsburg undertook their defence. Secure in the protection of so important a friend, they resolved upon striking a decisive blow, and delivering themselves by one effective measure from the machinations of those whose fidelity they had reason to suspect. For this purpose a decree was passed to banish the whole order of nobles, a few only excepted, who had merited this honourable distinction by their prudence and moderation.

In



In this unhappy state of exile they continued till the elevation of Rodolphus to the imperial throne, when through his powerful intercession they obtained leave to return\*.

CHAR.  
IV.

In reading the history of Switzerland, we are struck with the peculiar good fortune of the natives, who, at a period when most of the European states were grovelling in abject slavery, were enabled to shake off the yoke of despotism, and to establish a constitution which secured freedom and happiness to their posterity. Yet, if we attentively examine the situation of Helvetia at the close of the thirteenth century, the prospect was indeed precarious, and afforded just cause of apprehension to every reflecting mind, whether the existing confusion would terminate in a state of hopeless tyranny; or whether the people would ultimately triumph, and the downfall of feudal aristocracy lead to the establishment of civil liberty upon a solid foundation.

Meanwhile every effort that cunning could suggest, or violence employ, was made by the jealous nobles in order to check the rapid

\* Simler, Tschudi, iii. Guilliman de Reb. Helv. II. xvi.

-progress

CHAP. progress which mankind were daily making  
 { IV. in the arts of civilisation and comfort. Separately, the towns were too weak to resist ; and the difficulty of communication rendered an effective union almost impossible. The public roads were infested by banditti. The traveller was exposed to danger at every step, while the robbers found a secure asylum in forests, or in the castles of the great, who were not only the protectors, but frequently the associates of their guilt.

Under such circumstances the Swiss had much to encounter ; and notwithstanding all their energy and perseverance, they might ultimately have failed in the attempt had they not derived an unsuspected support from the errors and the divisions of their opponents. For their freedom was by no means the result of one bold exertion, or of victory in a single battle ; but it arose from a succession of events, prosperous beyond any thing which the most sanguine disposition could, with any appearance of probability, have anticipated.

Hitherto we have travelled through a dreary and desolate waste. Our prospect begins  
 T T  
 now

now to brighten. Instead of a disgusting CHAP. catalogue of crimes and weaknesses, it re- IV. mains for us to record a series of actions which dignify human nature; and to elucidate the mysterious ways of Providence, in rendering excess of misery the source of happiness to a virtuous people.

## CHAP. V.

*Rodolphus of Hapsburg—Albert—His unpopular Government—Discontents in Switzerland—Gessler and Landenberg—William Tell—Union of the Forest-Cantons—The Austrian Government overturned.*

**CHAP. V.** **THE** ancient system of warfare was peculiarly favourable to the display of personal courage. Nothing was more common than for men, who would pass unnoticed in the ranks of a modern army, to attract by some sudden effort the attention of the world, and to soar at once from comparative obscurity to the highest pinnacle of renown. Such was Rodolphus of Hapsburg, who by his prowess and generosity rose from the rank of a simple count, not only to be the head of the German body, but to be the founder of a family, which in the space of three centuries bid fair to realise the most chimerical plans of universal monarchy.

A spirit

A spirit of insubordination had long placed CHAP: V.  
the great vassals of the empire in a state of almost absolute independence which rendered the imperial crown a burthen no less grievous than humiliating to it's wearer. The disastrous situation of public affairs demanded all the active virtues of an accomplished prince; but the ambitious projects of the electors rendered them cautious respecting the object of their choice. In this dilemma the public wishes pointed universally to Rodolph of Hapsburg. Endowed with qualities 1273.  
which were calculated to adorn the highest station, he was not yet sufficiently powerful to excite the jealousy of his ambitious compeers. The prudence which he had manifested in the various changes of a military life inspired the most flattering presage of his future reign, and created a rational hope that the whole energy of his mind would be exerted for the re-establishment of social order. Neither were his resources so limited, as to deprive him of the authority requisite to restrain the inferior vassals within the bounds of duty, and to curb the excesses in which they indulged when left to their own discretion.

The

CHAP. V. The name of Rodolph is so justly celebrated in modern story, as the most distinguished personage in an age when mankind began to throw aside the shackles of barbarism, and to feel themselves capable of something better than the toils of pedantry or of war, that curiosity dwells with peculiar satisfaction on the annals of his reign. He was in stature considerably above the common standard, though his form was by no means athletic. His features, strong and masculine, gave an occasional air of sternness to his countenance, which seemed to indicate a severity of temper not natural to his character. But no sooner did he enter warmly into a debate, than they gradually softened, and by their animation and affability effaced every unfavourable impression. His conversation was lively, familiar, and amusing, even amidst the most important occupations. Plain and unassuming in his manners, he was the declared enemy of luxury, and endeavoured by his own example to check the ostentation and expensiveness which began already to find their way into the dwellings of the great. When in the field, his way of life scarcely differed from  
that

that of the meanest soldier. He ate of the same homely viands ; he reposed upon the same bed of straw. Nay, so far did he carry this love of simplicity, that he has been found sitting before his tent, patching his tattered doublet, while he issued orders to surrounding generals, and secured victory by a well-planned attack. The early part of his life was spent entirely in camps ; and we have already seen him defending the cause of liberty against the outrages of the great. In this respect, indeed, his conduct has exposed him to the imputation of impolicy ; and he is accused of having contributed to the elevation of a fabric, which rose in the sequel to so enormous a height. Yet if we could wholly divest ourselves of all historical information, and forgetting the eventful revolutions, which five centuries have produced in the affairs of men, could identify those views which experience and reflection (the sure guides of human conduct) appear to have suggested to the count of Hapsburg, we should perhaps discover sufficient reason to consider his actions in a different light \*.

\* Muller, I. xvii.

Born

CHAP. Born with a boundless ambition, and con-  
 { v. } scious of his own superiority, Rodolphus re-  
 solved to accomplish that illustrious destiny  
 for which fortune designed him. But his do-  
 minions were small compared with his de-  
 sires ; nor had he any funds on which to lay  
 the foundations of greatness, except the in-  
 exhaustible resources of an intelligent mind.  
 By adhering implicitly to the example of his  
 contemporaries, he could have entertained lit-  
 tle hope of ever emerging from his compara-  
 tive mediocrity. But in siding with the towns  
 against the great nobility, the popularity of  
 the cause attracted to his standard all those  
 who were oppressed by the iron hand of des-  
 potism, or who were desirous of escaping  
 from indigence and obscurity.

Such was the man, whom the unanimous  
 voice of Germany invited to the imperial  
 throne at a moment of unparalleled anarchy,  
 and who was indebted for his elevation nei-  
 ther to the splendor of his extraction, nor to  
 the extent of his alliances, but (to use the  
 words of the elector of Cologne) “ to his

\* Muller, I. xv ii.

“ being



“ being a man, beloved both by God and by  
“ his fellow-creatures, on account of his wis-  
“ dom and equity.” The result of the elec-  
tion was to none more astonishing than to  
Rodolphus himself; for it does not appear  
that he had entertained the smallest expecta-  
tion of obtaining the crown, or had taken any  
steps to secure it. The intelligence was com-  
municated to him in his camp before Bâle, by  
the count of Pappenheim, in terms the most  
flattering to vanity. He received it with mo-  
desty, but with surprise; and certainly with  
less apparent satisfaction than was manifested  
in the towns of Switzerland, all of which sent  
him embassies of congratulation. The bishop  
of Bâle was no sooner made acquainted with  
the event than he ordered the gates to be  
thrown open, hoping to mitigate the severity  
of his doom by this early expression of al-  
legiance. But revenge was a passion which  
never found its way into the generous heart of  
Rodolphus. He entered the fortress amidst  
the acclamations of multitudes, not with the  
rigour of a conqueror, but with the cordiality  
of a friend; and having set all his prisoners  
at liberty, and granted a general amnesty, he  
VOL. I. P hastened

CHAP. hastened with a numerous retinue to receive  
V. the imperial crown at Aix-la-Chapelle.

The conduct of the new emperor appeared fully to justify the expectations of his countrymen. Seated on a throne, which conferred little more than a vain title of pre-eminence; circumscribed in every project by the jealousy of vassals, many of whom were more powerful than himself; assailed by the importunities of the clergy, whose petitions were usually delivered in the authoritative tone of command; and by no means secure of the loyalty of a people, whom fanaticism under the imposing garb of hypocrisy rendered the easy tools of sedition; without forces, or the means to raise them—Rodolphus had the good sense to discover, that by openly opposing the prevailing current he might draw down destruction upon himself, without materially benefiting his country. He in consequence resolved to wait with patience for some favourable change, which the vicissitudes of fortune might produce, and which, while they pass unnoticed by common minds, it is the distinctive character of wisdom to seize, and to improve.

Profiting

Profiting by the errors of his predecessors, CHAP. V. he made it the first object of his administration to conciliate the court of Rome. Neither was this an undertaking of difficulty; for as pride was, at that time, its leading passion, it was amply gratified by a studied display of respect. But he had the wisdom to resist the importunity with which the pope urged him to receive at his hands the crown of the Cæsars, in the capital of the Christian world; well aware of the price, which the successors of St. Peter were wont to attach to that splendid donation.

Finding himself too weak to restrain the licentious spirit of the nobles by open force, he resolved by the prudence of his government to ensure the co-operation of all who were friends to social order, and could appreciate the wisdom of his actions.

His views, however, were invariably directed to the aggrandisement of his family; and, in this respect at least, his fondness for his children may be said to have degenerated into unpardonable infirmity, since in the prosecution of this object he was not always restrained by the rigid dictates of justice.

CHAP. V. The alienation of fiefs was one of the most crying abuses of the imperial authority. But it is the defect of all elective monarchies; since nothing can be more natural, than that parents should sacrifice the interests of their successors to those of their posterity. We do not, however, mean to insinuate that the emperor's conduct was exempt from blame. It was an infringement of the original compact which unites mankind in society. For in consequence of the high ideas entertained of the privileges of a member of the Germanic body, a clause was inserted in every public charter, that the people to whom it was granted should never be separated from the empire, *except by their own express consent*. Nothing, therefore, could be more unpopular than these irregular grants; yet such was the high estimation in which Rodolphus was held, that he was suffered to proceed without any manifest symptoms of discontent. Even the vigilance of the Swiss was lulled. For the chains which he imposed were accompanied with so many blandishments and caresses, that jealousy itself could scarcely suspect any evil.

Fatal

Fatal indeed might this supineness, have CHAP. proved, had the temper of his eldest son Albert allowed him to pursue the same plan of V. artifice. But his pride disdained the mask of prudence, which he considered as below the dignity of a sovereign. Besides, he had a more numerous family to provide for at the expense of his neighbours. If we consider, indeed, the haughtiness of his character, and the subsequent boldness of his measures, we can hardly entertain a doubt that he had formed the design of erecting Switzerland into an independent duchy, to be conferred, by way of appanage, upon a younger branch of the Austrian family.

The pretensions of the emperor on the Italian states afforded another branch of profitable traffic. Rodolphus possessed too much prudence to embroil himself in the crooked politics of that perfidious people ; but he was at the same time too sagacious to forego the advantage which their continual diffensions afforded \*. Lucca, Florence, Bologna, and Genoa paid abundantly for the municipal 1279. privileges which they obtained, though they

\* Barre,

desired still to continue under the protection of the imperial crown. This favour was readily granted, but its benefits were rather apparent than real; though it sometimes served as a barrier against papal usurpation.

After his accession to the imperial throne Rodolphus paid frequent visits to Switzerland, a country which he seems to have cherished with peculiar tenderness. During one of these journies he had an interview with the pope at Lausanne. But he never lost sight of his favourite project, and seldom returned without some fresh acquisition of territory. At one time the Abbey of St. Gall was curtailed of its possessions; at another, the town of Zofingen was yielded as an indemnity for his claims. Fribourg was purchased from the house of Kybourg. Colmar and Haguenau were terrified by threats into a surrender of their liberties; while Morat and Payerne were conquered from the house of Savoy\*. Lucerne, Baden, and Lensberg were likewise occupied under different pretences. But the defeat of Ottocar, king of Bohemia,

\* Stumpf. VI. 27. Tschudi, iv. Guilliman de Reb. Helv. iii.

was

was the proudest triumph of this illustrious CHAP. reign ; and proved in it's consequences, the most important. Austria, Carinthia, Stiria, and Carniola became the prey of the victor, and were conferred by Rodolphus on his eldest son Albert, with the title of Arch-duke of Austria. By this brilliant conquest, he laid the foundation of Austrian greatness upon so solid a basis, that it thenceforth defied the storms of fortune, and rose by progressive steps to a height, which made Europe tremble for her liberties.

The abbey of St. Gal had been long a source of contention between the neighbouring princes, who were desirous of appropriating to themselves so alluring a prize. Frequent attempts had been made to surprise the convent by night. The abbot and his holy brotherhood were often roused from their peaceful slumbers by the din of arms, and obliged to fly for shelter to the adjacent mountains. All religious duties were suspended : all plans of economy were forgotten. Thus the situation of the society grew every day more embarrassed. Their revenues were ruined

CHAP. by mismanagement, or squandered in useless  
 v. parade.

Rodolphus, whose comprehensive mind embraced the minutest objects, and who was never inattentive to the interests of his family, when an opportunity offered to promote them, thought he might now interfere with some appearance of propriety. An inquiry was accordingly instituted. Dilapidators were punished. Subordination was established : and the friars returned to the tranquillity of a monastic life, while the emperor took care amply to reward himself, at their expense, for all his exertions\*!

The rising power of Berne had long excited his jealousy ; and it's indiscreet partiality toward the house of Savoy increased his dislike. Alarmed at the near approach of so formidable a neighbour, the Berners opposed his occupying the town of Fribourg with a degree of warmth that can only be justified when supported by an adequate force. The emperor was anxious for an opportunity to

♦ Bib, Helv.

revenge



revenge the affront, and the imprudence of CHAP. the Berners soon afforded him one. An un-<sup>V.</sup> founded accusation of murder against a person of the Jewish persuasion having induced the government to give way to the prejudices of the age, and to banish every Hebrew without distinction from their territory, Rodolphus opposed the execution of the decree, under the pretence that subordinate tribunals were incompetent to decide affairs of such magnitude, the cognisance of which belonged exclusively to the imperial throne. He in consequence ordered all further proceedings to be suspended till the affair had been fully investigated; and having examined into it with apparent attention, he annulled the former sentence, declaring that the accused had been unjustly persecuted on account of his religious opinions. He at the same time commanded\* that the Jews should be recalled, and in case of contumacy condemned the city to the payment of a very heavy fine. The conduct of the Berners was such as the Emperor expected. He neither looked for, nor desired their

\* Tschudi estimates the number of Jews at 15,000.

compliance,

CHAP. compliance. An excuse for attacking them was

v.

the only thing wanted ; and he quickly perceived, that there was no way of enforcing his authority except by the sword. Putting himself therefore, without loss of time, at the head of a numerous army, he appeared before the walls of Berne, and summoned it to surrender ; announcing his determination of giving up the town to pillage in the event of a refusal. The menace was vain. Rodolphus was incensed at the resistance \*, and made two fruitless efforts to take it by storm. But the persevering courage of the garrison frustrated all his plans, and the severity of the ensuing winter obliged him to raise the siege. The following year an army, under the command of arch-duke Albert, renewed the war. The campaign was opened by a bold attempt on the part of the Austrians. Albert placed a body of his best troops in ambuscade, at a point where he expected to be attacked by the besieged. The stratagem succeeded. The garrison sallied out, and were surrounded ; their retreat was cut off, and the whole party

\* Tschudi, iv,

were

were either killed or taken prisoners. The confusion was general. The Austrians were on the point of entering the town; when Walo de Griers, a valiant knight, animating his fellow-citizens by his exhortations and his example, rushed into the thickest of the enemy, recovered the standard which had been lost, and finally repulsed them from the walls. Walo was received by his countrymen with every demonstration of gratitude which his heroic valour deserved; and as the reward of this signal service was honoured with the surname of *Biderbe*, which in the corrupt German of that age signified *valiant*; an appellation which his posterity have ever since retained.

Albert in vain attempted to encourage his troops to renew the assault. Their loss was severe, and had left so deep an impression of the enemy's prowess, that neither threats nor persuasions could avail. Finding therefore that nothing effectual was to be done, he retired in despair, leaving the Berners to enjoy their triumph, and to revenge themselves on those nobles who were suspected of having favoured the Austrian interest. The dispute was

CHAP. was soon afterward terminated by a treaty,  
V. signed at Baden, in which the only concession  
on the part of the Berners was the institution  
of a perpetual mass, in honour of those who  
had fallen during the contest.

But the object nearest to the emperor's heart, and to the attainment of which he was prepared to sacrifice every other consideration, was to perpetuate the imperial crown in his own family. With this view he exerted all his influence to engage the princes of the empire to declare Albert his successor. But the house of *Hapsburg* (or, as we must henceforth call it, of *Austria*) was become so formidable, that the same causes, which had formerly contributed to his own elevation, now operated with equal force to the exclusion of his son.

Frustrated in this important point, Rodolphus appears in the autumn of life to have become less circumspect in his conduct. In Switzerland he was continually extending his voracious grasp; sometimes laying hands on the ecclesiastical domains; at others, abridging the rights of the chartered towns. Now proceeding by negotiation, now by force, till his

his popularity began rapidly to decline. The CHAP. subsidies indeed, which he was continually <sup>v.</sup> demanding, could hardly fail to alienate the affections of a people whose love of money has since become proverbial. Even the forest-cantons, whose attachment had been eminently displayed during the Hungarian and Bohemian wars, and who had contributed essentially to the success of those brilliant expeditions, began openly to manifest their discontent; nor could repeated assurances, that they had nothing personal to apprehend, allay the general ferment. To such a degree had this spirit of disaffection spread, that it is hardly possible they should have confined themselves to simple remonstrances, had not the death of Rodolphus, by delivering them 1291. from all immediate cause of alarm, induced them to wait with patience till they were able to determine what line of conduct his son and successor would pursue. For though the general tenor of Albert's character was by no means calculated to inspire the hope of a lenient administration, yet it was consistent with their principles to conduct themselves with caution,

CHAP. caution, and not to justify severity by pre-  
V. mature opposition.

We have already judged Rodolphus from his actions. Little therefore remains to be added. Few princes have left a greater reputation behind them ; scarcely any has deserved it better. The only imputation, indeed, which has been cast upon his memory, arises from an amiable weakness ; for it was the excess of paternal affection. In his anxious solicitude for the aggrandisement of his family he was sometimes induced to overstep the rigid line of justice ; but even then his actions, as a politician, command our admiration : though we condemn the principle, we applaud the sagacity and the energy with which it was carried into effect. The re-establishment of tranquillity throughout the German empire was entirely due to the wisdom of his government, and confers more lasting honour upon his name than victory can bestow on her most favoured votary. But it is in the details of domestic life that the benevolence of the heart is most conspicuous. Unfettered by the chilling forms of greatness, the real character displays itself there : and there Rodolphus  
appears

appears in the most amiable light. He would CHAP. visit the meanest mechanic in his cottage, <sup>v.</sup> partake with cheerfulness of the coarsest fare, inform himself of the state of his contracted finances, and enter into the minutest inquiries about his trade ; while, by the unassuming humility of his behaviour, he put him perfectly at his ease.

To one of his guards, who endeavoured to prevent a peasant from approaching him, he said, with an indignant frown, " Thinkest thou " then that I am a king only to render myself " invisible?" having been informed that the collectors of the public revenues were too rigorous in the exaction of tolls, he wrote the following letter with his own hand: " The cry of poverty has reached my ear. You subject the merchant to impositions, which no law compells him to pay. The burthens which you impose are intolerable. As you value my favour, learn henceforth to content yourselves with that which is legally your due. For know that I esteem the power of dispensing justice, and protecting the oppressed, as the most precious gift of heaven" \*.

\* Muller. I. xvii.

CHAP. No sooner was the emperor's death made  
 V. public, than the principal inhabitants of Uri,  
 Schweitz, and Unterwalden assembled, for  
 the express purpose of renewing their ancient  
 bond, and confirming it by an oath conceived  
 in the following terms: " Be it known to all  
 the world, that we, the inhabitants of the  
 vallies of Uri, and of the mountains of Unter-  
 walden, together with the men of Schiweitz,  
 in consideration of *the alarming prospect of*  
*affairs, have united ourselves by the closest ties;*  
 and do solemnly covenant to assist each other,  
 both with *our fortunes and our lives, against*  
*every aggressor whatever.* Such is the spirit  
 of our league, and it is imprinted on our hearts.  
 It was formerly the privilege of this country  
 to be subject to the jurisdiction of none but  
 a native magistrate, whose office was invariably  
 conferred as the reward of merit. Among us,  
 the decision of every dispute ought to be re-  
 ferred to the most prudent; neither is any  
 one at liberty to refuse the office. <sup>3</sup> Our laws  
 are simple. Whoever *intentionally* kills a  
 fellow-creature, shall be punished with death;  
 and whoever attempts to screen the murderer  
 from the hands of justice, shall be banished.

If



If any one sets fire to a house he shall forfeit CHAP.  
 his right of citizenship, and the person who V.  
 protects him shall be responsible for the loss. ~~~~~  
 The man who injures, or robs his neighbour,  
 shall make ample compensation. Neither  
 shall any one seize on the property of another  
 without the permission of a judge; nor  
 even then, except he be his debtor, or has  
 become surety for a debt. *Every member of*  
*society is equally bound to obey the magistrates;*  
 and in cases of resistance all men are obliged  
 to lend their aid to the civil power. - If in a  
 private quarrel one of the parties refuse to ac-  
 cept of an adequate satisfaction, all the neigh-  
 bours shall side with his adversary. These  
 laws are established for the common benefit,  
 and with the mercy of God shall continue in  
 force for ever." \*

From what has been already said, it is easy  
 to infer that the situation of Switzerland had

\* This declaration, bearing date in the month of Au-  
 gust, 1291, lay buried among the public archives till the  
 year 1760, when it was published by Gleser, in his  
*Helveticorum Fœdera.*

We have preferred preserving the rude and simple  
 style of the original to the refinements of modern  
 language, as more impressive and appropriate.

VOL. I.

Q

improved

CHAP. improved but little during the reign of Ro-  
v. **dolphus.** The ambitious projects of his son  
 awakened a sentiment of jealousy, the con-  
 sequences of which it was not easy to foresee.  
 Moderation and prudence might still have  
 tranquillised the public mind. But Albert  
 was averse by nature to lenient measures; and  
 force was the only instrument which his  
 haughty soul condescended to employ. Yet  
 so great was the influence of the house of  
 Austria, that though his views were no longer  
 secret, his partisans were daily increasing.  
 The whole of Switzerland was divided into  
 two factions, of which one was composed of the  
 friends of freedom, while the other was blindly  
 devoted to the arch-duke. To the former, the  
 elevation of Adolphus of Nassau to the im-  
 perial throne was a subject of consider-  
 able triumph. For, notwithstanding the re-  
 pulsive which he had already met with, Albert  
 renewed his intrigues on his father's death.  
 But although he exerted every nerve in the  
 contest, he had the mortification to see the  
 golden prize borne away by a more fortunate  
 rival\*.

\* Muller, B. 1. C. 18.

The proud spirit of Albert was compelled CHAP.  
to submit, though he treasured up a store of V.  
rancour in his breast, which subsequently burst  
forth with all the violence of offended pride:  
For the present however he contented him-  
self with obtaining a ratification of all former  
grants, as the price of allegiance; which was  
given on the express condition of his assisting  
the emperor against all his enemies.

At the time of his death Rodolphus was en-  
gaged in hostilities with the abbot of St. Gal.  
and Albert, who adhered implicitly to his father's  
plan of aggrandisement, determined to carry  
on the war with increasing vigour; as he fore-  
saw that it must ultimately terminate in his  
favour:

The citizens of Zurich, who had taken  
part with the abbot, were eager to signalise  
their courage by a decisive blow. With this  
view, the count of Toggenburg laid siege to  
Winterthur, after defeating a considerable  
detachment of Austrians, which had attempted  
to impede his march. This success, however,  
was rather brilliant than solid; as the count  
was too weak to carry on the siege be-  
fore the arrival of a considerable reinforce-

CHAP. ment, which he expected from Constance,  
 V. but which, unknown to him, was retarded by  
 the sudden rise of a mountain torrent. Wer-  
 denberg, who was advancing to the relief of  
 the town with a large body of Austrians,  
 having intercepted a courier, gained intelli-  
 gence of this circumstance, and resolved to  
 turn it to his own advantage. A soldier in  
 disguise found his way into Winterthur, and  
 communicated the plan to the governor, who  
 prepared to second it to the best of his ability.  
 Every thing being settled between them, and  
 standards procured similar to those of the  
 bishop of Constance, Werdenberg advanced  
 without opposition, as the besiegers mistook  
 his forces for those of their ally; nor did  
 they discover their error till it was too late  
 to retrieve it. Attacked in front by the gar-  
 rison, and in the rear by the Austrians, they  
 threw down their arms and fled. A dreadful  
 carnage ensued; and so great was the loss, that  
 nothing was left for the vanquished but  
 patiently to submit to any terms which the  
 victor thought fit to impose\*.

While Zurich was thus struggling unsuccess-

\* Tschudi, iv.

fully

fully against the power of Austria, Berne was engaged in continual conflicts with the neighbouring states. With some she contended in defence of her independence. Others she sought to chastise for their shameful apostasy from the cause of liberty. Fribourg, however, was at this time the principal object of her resentment; for having recently surrendered with gratuitous baseness their chartered rights into the hands of Austria. The character of Albert was too well known for the Berners to suppose that this open avowal of hostility would pass unnoticed; and they were too well acquainted with his resources not to tremble at the inequality of the contest. The duke of Savoy appeared the only prince who was in a situation to afford them effectual support. With him therefore they endeavoured to connect themselves by every possible tie. Under his protection, and with a valiant knight of the Erlach family at their head, they marched against the Fribourgers, who were advancing with a formidable force. But superiority of numbers was never regarded by the citizens of Berne. During the whole of their memorable struggle, one maxim alone

CHAP. directed their actions; for they felt, that the  
 v. liberties of a people are annihilated the  
 moment they submit to the most trifling act  
 of oppression. The armies met on the summit of the *Donner-bu'hel*. Confident in the recollection of their late victory, the Berners commenced the attack with an impetuosity which nothing could withstand. At the first onset the enemy's line was broken. They fled in disorder, leaving their opponents in possession of the field of battle; and ten banners were suspended in the cathedral of Berne, with all the animating accompaniments of military ovation, as eternal monuments of their prowess\*.

While the free-born sons of Berne were thus preparing themselves in the school of war for more arduous conflicts, Adolphus by the venality of his government rendered himself despicable in the eyes of Europe, and thus paved the way for his fall; for from contempt to ruin the descent is precipitate. Various accusations of profligacy, many of which had probably no foundation but in the violence of faction, were laid to his charge by

\* Stettler, i.

the partisans of Albert. His conduct indeed toward the Swiss, during a short and turbulent reign, was far from indicating that excessive depravity with which his memory was branded by the adherents of Austria. But whether true or false, the story of his crimes produced the effect which it was intended to excite. The current of popular opinion turned suddenly in favour of Albert. Adolphus being publicly deposed by a majority of the princes, his rival was elected in his stead. The degraded emperor, among whose imperfections his most inveterate enemies never enumerated the want of courage, was still supported by a respectable party, and having assembled a numerous army, resolved never to abandon his crown except with his life. The rival monarchs met in an extensive plain between Spires and Worms, when (according to the most credible authorities) they sought out each other, as if mutually desirous of terminating the contest by single combat. Fortune declared for the Austrian. Adolphus fell, leaving his competitor in undisputed possession both of the field and of the empire\*.

1298

\* Muller, I. xviii.

No

CHAP. No sooner did Albert find himself securely  
V. seated on the throne than every effort was  
directed toward the completion of his favourite scheme, the procuring of independent establishments for his three sons, in Suabia, Alsace, and Switzerland. But the natural impetuosity of his temper would not allow him to proceed with the necessary circumspection. He was besides, anxious to unite the scattered domains of the house of Hapsburg, by possessing himself of the intermediate territory. Nothing, therefore, was left unattempted that could conduce to the success of this darling project. To the avaricious he addressed himself in the persuasive language of interest; to the timid he spoke in the commanding tone of authority. Meanwhile the imperial fiefs were conferred, as appanages, on his younger children; the abbots of Murbach, Einsiedlen, Interlachen, and Dissentis (together with the canons of Lucerne), having been induced, either by threats or promises, to renounce their various claims in his behalf. This renunciation, and the shameful abuse of power to which it gave birth, excited the indignation of republican Helvetia,  
and



and called from the obscure paths of private CHAR. life a crowd of heroes, whose glorious struggle V. in the cause of freedom it is a welcome task to commemorate\*.

The ecclesiastical revenues were in like manner bestowed upon different branches of the Austrian family, who enjoyed them under the various titles of *treasurers, administrators, or advocates*. These insolent attempts were sometimes resisted with a degree of firmness which precluded every hope of success. Albert, who regarded the slightest opposition as an unpardonable outrage, resolved to accomplish by force what he had in vain attempted by negotiation. Having assembled an army, he laid siege to Zurich, concluding that the loss which that city had so recently sustained must have rendered it incapable of a long defence. The citizens, however, though conscious of their weakness, disdained to yield, and had recourse to stratagem as their only chance of preservation. Having dressed their women and children in complete armour, and drawn them up on the walls in array, they set open

\* Tschudi, iv. Guilliman de Reb. Helvet. ii.

the

CHAP. the gates, and braved the enemy to an assault.

V. So unexpected a display of military force astonished Albert, who calculating on an easy and almost bloodless victory, was ill-prepared for the fatigues and expenses of a protracted campaign. A council of war was summoned, and its members being unanimous in opinion that it was impracticable to carry the town by assault, the emperor resolved to retire, without exposing his troops to farther hardships.

Though foiled in his attempt upon Zurich, the Austrian power was daily increasing with a degree of rapidity, which could not fail to occasion the most serious alarm among the neighbouring states. The forest-cantons, in particular, had cause to tremble for their internal safety. Their apprehensions were still farther increased by the arrival of the counts of Oxenstein and Lichenberg, with the following proposal in the name of Albert; "That, for their own security, and the future prosperity of their country, they should immediately put themselves under the protection of Austria, whose dominion already extended over the greater part of the adjacent country: That the claims of Albert were clear and undeniable,

deniable, being founded on the cession of the CHAP. monastic orders, and of their other feudal lords: That notwithstanding their obvious inability to resist so powerful a prince, such was the benevolence of his disposition, that he wished to consider them in the light of children, and to derive his authority from their voluntary consent; feeling, as he did, an hereditary interest in their welfare, both as the descendent of their ancient patron the count of Lensberg, and as the son of Rodolphus their truest friend." They farther added, "that in offering them his protection, it was by no means the emperor's intention to deprive them of the produce of their herds, or the other fruits of their industry. His admiration of their courage alone rendered him desirous of a more intimate connection with them; as he deemed them worthy of being led to glory by the greatest generals of the age, and of sharing with his victorious troops in the spoils and trophies of the universe." The address concluded by hinting at the prudence of *unconditional* submission; since their little territory being now surrounded by the dominions of Albert, it was in his power  
at

CHAP. at any time to exclude them from all external  
V. commerce, and even from all intercourse with  
the rest of Europe."

Albert persuaded himself that, by thus appealing to their leading passions, he might captivate a people who were not insensible either to the suggestions of interest or to the charms of glory. But the honest Swiss, who had received secret intimation of his views from Werner count of Homberg, replied with respectful firmness; "That though they should ever retain a due sense of the emperor's bounty, and feel happy in any opportunity of testifying their gratitude, they were perfectly contented with the humble situation in which Providence had placed them, and had no inclination to exchange it for a more brilliant destiny. On the contrary, the only boon which they implored, was a confirmation of those privileges, for which they were indebted to his royal father."

Though delivered with such dignified confidence as to leave little prospect of a change, this answer, instead of extinguishing the hopes of Albert, induced him to resort to other expedients. As the first indication of his anger, he

he refused to acknowledge Werner their hereditary bailiff, and declared the office to be still vacant. This violent step may justly be ascribed to personal resentment, as the count of Homberg had recently incurred his displeasure by a bold appeal to the imperial chamber. Finding that his opponents were resolved not to give up the point, he lost all patience, and directed the governor of Lucerne not only to assume the office in question himself, in the three refractory cantons, but also, immediately to levy all the impositions and arrears due to the convents, in whose right he claimed, by the feudal tenure\*.

The forest-cantons, on their part, continued their remonstrances, but to no purpose. Their representations were neglected; and Werner, who was sent to plead their cause, was received with the most studied marks of disrespect. Meanwhile the imperial bailiff, having published his credentials, began to administer justice in his master's name. The Swiss renewed their complaints in more energetic language. Both parties grew daily warmer, and things were at length carried to such

\* Muller, I. xviii.

extremities,

CHAP. extremities, that no alternative was left to

v. Albert, but either tamely to recede from his former pretensions, or to enforce them by the sword. This was exactly the situation which he had desired. But as his preparations for a campaign were still incomplete, he continued to dissemble, affecting in part to comply with their petitions, by nominating two of their own countrymen to the important office of bailiff. The names of Gessler, and Landenberg recall to our mind whatever is base and odious in the character of man. Their crimes have been consecrated to the indignation of posterity, as awful examples to their successors in the career of iniquity. They were both descended from noble families; both equally harsh and inflexible; and both endowed by nature with those apparently discordant qualities, which so frequently flourish in the soil of despotism, and fit the same person for the opposite characters of tyrant and slave. Their prevailing vices (for, even in the most degenerate souls, there are gradations of guilt) were, however of different kinds. Pride formed the predominant passion of the one, and avarice that of the other. But  
in

in the violence of their tempers, the arrogance of their proceedings, and the contempt which they displayed for every finer feeling of humanity, the balance was so nicely poised, that it is not easy to determine which scale preponderated. CHAP. V.

Upon their arrival in Switzerland, the first object which occupied their attention, was the choice of a spot for their residence. Having visited the different places of strength, and calculated all the advantages of situation, Landenberg selected an ancient castle at Sarnen, in Unterwalden, which had formerly belonged to the canons of Lucerne; while Gessler took up his abode in a fortress\* situated in the town of Altorf, the capital of the canton of Uri.

The devoted Swiss began now to experience the fatal effects of Albert's displeasure. It is true that they had heretofore been subject to the jurisdiction of a foreign prince, who governed them under the title of *imperial bailiff*. But, as he had never resided among them, his power was in great measure nominal. The administration of justice had been in-

\* This fortress he in derision called *Twing Uri*, the *subduer of Uri*. May.

variably

CHAP. variably delegated to a native, whose proceedings were directed by local customs and established laws; and who was called upon, every year, to render an exact account of the manner in which he had exercised his authority. They were now exposed to all the petty persecutions of little minds, anxious to recommend themselves by the abuse of power to the favour of a tyrannical master. Offenses became arbitrary; punishments capricious. The governors never appeared in public unless surrounded by a numerous guard. Fortresses were erected in the most disaffected places, into which persons of all ranks and conditions were thrown on the slightest suspicion. At the same time, all commercial intercourse with their neighbours was entirely precluded, by the exorbitant duties imposed by Albert on merchandise of every description\*.

\* The passage of different sorts of merchandise between Italy and Germany afforded a considerable revenue to the canton of Uri. But in consequence of the heavy tolls exacted by Gessler, the Italian merchants were constrained to seek another route, and to pass mount Cenis or St. Bernard, instead of following the more direct road over St. Gothard. May, I. xxx.

Such



Such unmerited acts of oppression occasioned the most pathetic remonstrances. But the insulting scorn with which the supplicants were treated soon convinced them that their governors acted with the entire approbation of the imperial court. They felt that all farther applications would be ineffectual, and that no redress could be expected, except from the energy of their own exertions.

A few instances, out of many which are recorded by contemporary writers, may serve to convey some faint idea of the atrocious conduct of the men thus invested by Albert with the unlimited power of oppression; and will at the same time convince us, that the resistance of the Swiss did not originate in the refined theories of equalising philosophy, or the factious turbulence of democracy; but that it was the last effort of despair, in a people worn out by lengthened suffering, and exasperated by extreme oppression.

The love of ease, an inclination natural to the human mind, when added to the apprehension of those incalculable evils, which are the necessary concomitants of a revolutionary change, must ever operate with indescribable

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R

force

CHAP. force upon the minds of a prudent people,  
V. and induce them to submit to many inconveniences, rather than resort to a desperate remedy, by rashly appealing to the first principles of civil society and overturning the existing government. But contumely and contempt no human patience can endure. So general indeed was the inclination for peace, and the dread of civil commotions, that it appears doubtful whether the Austrian ministers might not have proceeded with impunity in their career of injustice, had they been careful not to provoke, by gratuitous insults, a people whom their previous rigour had already driven to the verge of desperation.

There was a class of men, in the smaller cantons, who were not less distinguished from the generality of the inhabitants by the antiquity of their families, than by the affluence of their circumstances. They cultivated their patrimonial farms with honest industry, preserving the amiable simplicity of patriarchal manners, and living respected in a state of comfortable mediocrity. And it was against these that the agents of despotism seemed particularly to level their fury.

Passing

Passing one day by a house externally decorated with more than common elegance, Gessler inquired for the owner, and with a contemptuous smile said to him, "Do you think such a habitation suitable to the condition of a peasant? You complain of the Emperor's exactions, but while he leaves you wherewithal to erect such buildings as these, you have too much reason to be thankful." His satellites were instantly ordered to pull it down; and from that moment STAUFACHER became one of the most ardent champions in the cause of freedom\*.

Landenberg was not less active in sowing the seeds of discontent. Having seized the oxen of a respectable farmer, for some slight misdemeanor, he was implored by the proprietor to inflict some other punishment, if he should be found guilty of the crime of which he was accused: for that else he must be inevitably ruined, having no other means of cultivating his farm. "Let the miscreant draw his own plough!" was his only reply, and im-

\* Müller, l. xviii.

CHAP. immediately another hero enlisted under the  
 V. standard of liberty †.

1306.

Wolfenschiefs, a spy employed by Landenberg, was killed by Conrad Baumgarten, whose wife he had attempted to seduce. Exasperated at the death of a man, who by the infamy of his conduct had attracted his particular approbation, the governor vowed vengeance against Conrad, and panted for an opportunity of giving vent to his resentment. The occasion was not long wanting. HENRY OF MELCHTHAL, a strenuous advocate for the independence of his country, and by the integrity of his character, rendered an object of general respect, was selected as the victim of his wrath. Landenberg, whose punishments were in general dictated by the avidity of his disposition, on account of some trifling provocation sent to seize his oxen, while they were employed in the labours of husbandry. His son, a gallant youth, opposed the execution of the decree, and having driven away the officers of justice, with the same whip with

\* Müller, I. xviit.

which

which he had been driving the plough, immediately absconded. Enraged at the insult offered to his authority, and still more at the escape of the delinquent, the governor commanded the aged father to be dragged before him, and after reviling him in the most opprobrious language, caused his eyes to be put out, while he himself stood by to see the sentence executed in all its rigour\*.

Gessler, on the contrary, the slave of vanity, sought every means to gratify his ruling passion. Among other strange expedients, a pole was erected in the market-place at Altorf, with a hat suspended from its top, to which all passengers were enjoined to pay the same respect that was exacted by the representative of Albert†. So wanton a display of tyranny could hardly fail to inflame the public mind, which needed no accession of outrages, to display all the misery of its dejected state. Yet so completely were the natives awed by the numerous fortresses, that they sunk into sullen despondency. A power established upon the tremendous basis of

\* Guillinian de Reb. Helv. II,

† Muller, I. xviii.

CHAP. military despotism appeared to them unas-  
v. sailable by any efforts which despair could  
dictate.

Sacred be the name of him, who first dared to cherish the noble project of liberating his country from her ignominious bondage! STAUFACHER was that hero. In silence he contemplated the degraded state to which his nation was reduced. He brooded over her wrongs in secret. He meditated upon the energies of the human mind, and felt from inward conviction that man was not destined by nature to be the slave of despotism. Having reduced his ideas to a rational form, he hastened to communicate them to his friend WALTER FURST. At his house he met ARNOLD OF MELCHTHAL, who had taken refuge there from the pursuit of Landenberg. Misfortune is the parent of confidence. They had suffered in the same cause, and they flew to each other's arms with all the attachment of men connected by the strongest of ties, the love of freedom. Having deliberately weighed the dangers of the enterprise, they bound themselves by a solemn oath, to break the fetters of their country, or to perish in the attempt,

attempt. But as their sole object was personal security, they resolved never to deviate from the path of justice in the pursuit of liberty. It was therefore laid down as a *fundamental principle of their union* that they should in no case separate from the Germanic empire, nor refuse to their feudal lords, ecclesiastical or secular, those services which by that barbarous system they were bound to perform. Having finally engaged to observe the profoundest secrecy, and agreed that no partial attempts should be risked till the mine was ready to be sprung, they appointed a place where they might assemble with a few chosen friends to concert the preparations necessary for a general insurrection; and took leave of each other, not with the suspicious jealousy of men hurried by interested motives into a factious opposition, but with that honest confidence which is the result of conscious integrity and the characteristic of truly patriot hearts\*.

To propagate the electric flame among a people, whose wishes were in perfect unison with their own, required not the arts of per-

\* Tschudi. Muller.

CHAP. suasion. The founders of Helvetic liberty  
 V. discovered an ardent partisan in every person  
 to whom they intrusted the important project.

On the 17th of November, 1307 (the day fixed for their meeting) each of them appeared at the appointed spot, attended by ten chosen companions. This nocturnal assembly was held in the field of RUTLI, a retired meadow on the shores of the lake of Lucerne, exactly on the confines between Uri and Schwitz. Its solitary position amidst surrounding rocks, seemed to preclude the possibility of surprise. Conscious, however, that a secret known to so many (all of whom, even from physical causes, could not be equally proof against the suggestions of terror, or of interest) was at best precarious, the majority of the conspirators recommended an immediate effort, alleging that, in situations like their's, delay was ruin. Melchthal, on the contrary, employed every argument to combat this precipitancy\*. "The castles of Sarnen and Rotzberg were too strong (he urged) to be taken by assault; and upon the first

\* Muller, *ib.*

alarm



alarm would afford their tyrants a retreat, CHAP. where they might remain in safety, till an V. Austrian army could march to their relief, and place them once more in a situation to take ample vengeance upon the insurgents. But if they waited patiently for a short time, some opportunity might possibly occur, to get possession of these fortresses by stratagem. It was besides an indignity to human nature, to suppose that men engaged in so noble an enterprise could betray the cause in which they had embarked. Such suspicions might possibly be entertained with justice in the corrupted soil of courts; but every person present—he spoke from the emotions of his own heart—must feel that the first of obligations was his duty to his country; and under that conviction must view all the concerns of the world, its crowns and its gibbets, with equal indifference.”

The energy, with which he spoke, brought over the whole assembly to his opinion. Every idea of immediate aggression was laid aside; and the first day of the new year was appointed for the execution of the momentous project. This weighty business thus arranged, every

CHAP. every man returned with apparent tranquillity to his accustomed occupations.

V.

An event however took place in the interval, which by causing a premature eruption, threatened to overturn the rising fabric. We have already seen to what a degree of insolence Gessler carried his capricious pride. Presumption proved his ruin. WILLIAM TELL, a name justly celebrated in the annals of Helvetia, had married the daughter of Walter Furst ; and on that account, as well as from his enthusiastic attachment to the cause of liberty, had been admitted a member of the holy bond.

As he was one day passing through Altorf, the sight of the hat inflamed his indignation to such a pitch, that he not only refused obedience to the fantastic mandate, but treated the magisterial ensign with the contempt which it deserved. Gessler was no sooner informed of his behaviour, than he commanded the bold plebeian to be dragged before him ; and giving way to the suggestions of unbridled fury, decreed that as a punishment for his audacity he should at the approaching festival either pierce with an arrow an apple placed upon

upon the head of his son, a boy of five or six years of age, or suffer immediate death. So inhuman a sentence was little calculated, either to sooth the minds of the discontented populace, or to calm the resentment of the offended patriot. For some moments, he hesitated : but, secure in his own unerring arm, he at length accepted the former part of the alternative. To this probably he was still farther prompted by the consideration, that a scene of such wanton cruelty could not fail to affect the feelings of the spectators, in a manner conformable to his secret views.

On the appointed day, Gessler appeared in the market place at Altorf, seated in a chair of state, and encircled by his body-guard. His countenance bespoke the insolence of triumph. With a savage smile, he ordered the culprit to be brought. With a resolute step Tell advanced. The attentive crowd, who had been attracted from the remotest vallies by the novelty of the spectacle, trembled as he passed. He took his post. The boy was stationed, by the governor's direction, at a distance which seemed most unfavourable to the archer's skill. Tell grasped his bow. Mute attention

CHAP. attention prevailed. Every heart, except his own, throbbed with apprehension. He drew the string. The arrow flew. The apple fell. Repeated peals announced the joy of the spectators; and rebounded through the adjacent rocks. The hero ran to his darling child. He caught him in his arms, and clasping him to his bosom, gave way to the effusions of nature; till unable any longer to suppress the violence of his emotions, he turned exultingly toward the governor, and producing another arrow exclaimed; "*Had my boy fallen, this, tyrant! was reserved for thee* \*." At once a prey to rage, shame, and disappointment,

\* The author is aware, that the sceptical spirit of the age has thought fit to question the authenticity of this popular tale. But to him there appears no valid reason to reject it. Neither does it seem at all improbable that the man, *who had erected his hat into an object of worship*, should carry the wantonness of tyranny to every excess. Besides, the story is recorded in painting, in the market-place, at Altorf; which proves, at least, that it had obtained credit in the very spot, where the event is supposed to have happened. Criticism, when properly applied, is highly favourable to the cause of truth. But we anticipate no advantage from throwing aside all those popular stories, which have existed for ages the delight and boast of national vanity, as equally undeserving of credit

disappointment, Gessler commanded his soldiers to seize the audacious delinquent. The populace interposed in vain \*. After a short conflict,

CHAP.  
V.

dit with the ghosts and witches which amused or terrified our credulous ancestors. The love of investigation, if confined within rational limits, conduces essentially to the advancement of science and the progress of literature. But it is surely a matter of regret, to behold the most splendid characters of antiquity frittered down by the refining chemistry of analysing critics, till they have scarcely one characteristic virtue left. A system like this perverts the true intent of history. It may become a subject of curiosity for the antiquary, but it is no longer an instructive school for the statesman or the politician.

\* What the author foresaw, has happened. He has been attacked for reviving a popular tale, that Muller thought proper to reject. Muller is undoubtedly a writer of considerable merit, and very candidly explains the reasons which induced him to treat the story of the apple as a fiction. In this he follows Grasser, who discredits it because he discovered a strong resemblance between the adventures of Tell, and those of a Scandinavian hero celebrated by Saxo under the name of *Tocco*. With all due deference to such high authority, we are far from considering this argument as conclusive. History abounds with incidents of a similar nature. Among uncivilised people, the same rude manners prevail, the same inhuman sacrifices are offered to the Deity, the same barbarous practices are established as substitutes for law. Can there be any just cause to disbelieve that Jephtha  
immolated

CHAP. conflict, Tell fell once more into the hands  
 V. of his enemy; who, in order to provide  
 against any attempts which might be made  
 for his rescue, commanded him to be conveyed to Kusunach, a fortress situated on the opposite side of the lake. Fearing, however, that this unmerited rigour might excite a sentiment of compassion in the bosoms even of his satellites, the governor resolved to accompany him in person, and embarked, with

immolated his daughter, because we are told by the Greek historians that Agamemnon did so too? If coincidence of circumstance be alone sufficient to sap the foundation of historical fact, we may expect that, some centuries hence, the enlightened commentators of the day will confound the melancholy destiny of Louis XVI. with that of Charles I. and triumphantly adduce a long chain of arguments to show, that it is contrary to every principle of criticism to suppose, that they could both have been brought to a public trial, and both have perished upon a scaffold! Is it easy to anticipate the ingenious essays that will appear on this occasion, while angry literati assail each other with all the violence of polemical animosity, and the rival nations dispute to which of them the royal martyr belongs. But should any reader be desirous of farther illustration, we must refer him to May, who has investigated the subject with great impartiality, and produces various proofs to confirm his opinion, which candour cannot fail to deem conclusive. May, I. xxvi.

his

his attendants, in the same boat. But scarcely CHAP.  
IV. had they quitted the shore, when the clouds, which had been gathering round the lofty summit of St. Gothard, and to which Gessler in his fury had paid little attention, burst into a tempest\*, precluding all possibility of a return. The waves ran high; and the surrounding rocks which rise almost perpendicularly from the level of the water, rendered all attempts to land impracticable. The watermen sunk beneath the labour of the oar, and unable any longer to contend against the vehemence of the winds, commended themselves to Providence for protection. In this tremendous crisis, one of the passengers recollecting that Tell enjoyed the reputation of an able pilot, advised the governor, as the only expedient that remained, to prevail upon him to take charge of the vessel, and to exert his skill for their common preservation. Gessler caught with eagerness at the proposal. The prisoner was unbound and placed at the

\* Those alone who are acquainted with the lakes of Switzerland can form an adequate conception of the perils which attend a hurricane, even in the shortest passage.

helm.

CHAP. helm. For some time he struggled manfully  
V. against the storm ; took advantage of his local knowledge to weather it's fury ; till by degrees, he approached the bank at a spot, where the receding mountains leave a small accessible promontory. The passengers now thought themselves secure. Tell neared the point ; and having arrived within a certain distance of it, boldly plunged into the flood, with one hand seized the rock, and with the other pushed back the vessel into the lake. The tempest however at length abated, and the affrighted tyrant with difficulty gained the land : But he was not yet in safety. Tell met him on the road, a little beyond Brunnen, and instantly with an arrow laid him dead at his feet. The monster perished, and Tell became the idol of his country.

It is not our intention to enter into any elaborate defence of tyrannicide, so highly extolled in ancient story. But we will venture to affirm, that if under any circumstance the destruction of a fellow-creature can admit of exculpation or merit applause, Tell must stand acquitted before the tribunal of Eternal Justice, and share the admiration of posterity



posterity with Harmodius and Aristogiton. CHAP.

Yet, glorious as the action was, it had nearly  
proved fatal to the party. With electric rapidity the flame flew from breast to breast, threatening a general explosion before the mine was properly prepared. Such however was the prudence of the leaders, that the ferment subsiding an apparent calm succeeded, till the important hour arrived.

Fully aware of the difficulties which remained before they could expel their tyrants from the strong fortresses, where they securely derided the impotent fury of an undisciplined mob, they had recourse to stratagem for success. A youth of Unterwalden, to whom romance has given the name of *Wolfgang*, had long paid his addresses to a maiden resident in the castle of Rotzberg. Upon this circumstance the conspirators founded their hopes of being enabled to seize that important post. The lover redoubled his assiduities, and secure of his mistress' affections, demanded from her the dearest pledge of confidence, which according to the simplicity of Helvetic manners consisted in admitting him privately to her embraces. The night was fixed for the

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thirty-

**CHAP.** thirty-first of December, when it was agreed  
**v.** that she should let down a ladder from her  
window, by the assistance of which he might  
easily ascend the perpendicular rock, on whose  
craggy summit stood the castle. On the ap-  
pointed evening, attended by a select band of  
confidential friends, Wolfgang repaired to a  
wood adjoining to the fortress. The night  
was dark and starless. The clock struck  
twelve. No signal was given. They doubted,  
suspected, despaired. The drawbridge fell.  
Their apprehensions increased. They heard  
distinctly the approach of horses, and anti-  
cipated treachery. Even love itself was un-  
just. Some horsemen passed, among whom  
by the light of their torches they distin-  
guished Landenberg. He continued his route  
to Sarnen, and the noise died away. The  
lamp appeared at the casement. The ladder  
descended. The youth mounted with hasty  
steps, but animated with far different passions  
from those which fired the bosom of the ex-  
pectant fair. Trembling with hope and ap-  
prehension, she led him to a private chamber.  
It was a trying moment for a lover. The  
warmth of his desires, the midnight silence,  
her

her smiles and her caresses invited him to CHAP. V.  
 pleasure. But the genius of Helvetia pre-  
 vailed. Tearing himself from her arms, he  
 informed her that an indispensable duty forced  
 him reluctantly to renounce the happiness  
 which love and she intended him : that for  
 the same reasons she must submit to a tempo-  
 rary confinement ; but that the rising sun  
 should witness her deliverance, and his justi-  
 fication. With these words he rushed out of  
 the apartment, turned the key, and hastened  
 to his impatient comrades. Having ascended  
 the ladder, one by one, they seized and bound  
 the sleeping sentinels ; and thus, in the space  
 of a single hour, acquired possession of this  
 almost impregnable fortress without spilling  
 one drop of blood. With such silence was  
 the important enterprise achieved, that no  
 alarm was given in the neighbourhood ; and  
 when the dawning day delivered the captive  
 beauty to her lover's arms, not a person with-  
 out the castle walls suspected the revolution  
 of the preceding night.

Early on the following morning, a select  
 party of the brave inhabitants of Unterwalden  
 met Landeberg as he was going from the

CHAP. castle of Sarnen to the parish-church, to be  
V. present at the celebration of mass on new-year's day. They were loaded with presents, which according to the custom of those times were offered, at that festive season, to the magistrates of the country. A troop of thirty mountaineers, headed by Arnold of Melchthal, lay in ambush near the walls, ready to appear upon the first alarm. Delighted with the liberality of the oblation, which had been purposely made more abundant than usual, the governor invited them into the castle, where he ordered them to be welcomed with an hospitable glass. But no sooner had they gained admission into the court, than the expected signal was given. Their comrades flew to their assistance, and took instant possession of the bridge and the magazine of arms, while the garrison, terrified at the suddenness of the attack, and ignorant of the numbers by whom they were assailed, threw down their swords and surrendered on promise of their lives\*.

\* The garrison was immediately embarked upon the lake, and sent to Lucerne. May.

The

The insurgents were every where equally CHAP. V.  
 fortunate. In the course of one day, the  
 castles of Sarnen and Rotzberg in Unter-  
 walden, those of Schwanau and Kusnach in  
 Schweitz, and the newly-erected fortress near  
 Altorf in Uri, were taken and delivered to  
 the flames; and thus was every vestige of  
 despotism effaced.

History records few events of a more extraordinary nature. Whether we consider the advantages attained, the means of their attainment, or the humanity by which they were accompanied, we shall find equal cause for admiration. Flushed with recent victory, and irritated by intolerable oppression, had the insurgents overstepped the just bounds of moderation, and indulged in those excesses which are too frequently the concomitants of recovered liberty, much might have been alleged in their defence. But how different was their actual conduct! All former animosities were buried in oblivion. The prisoners were treated with generosity, and being conducted to the frontiers, were released, on giving a solemn promise never more to pollute the land of freedom with their venal step.

CHAP. Except in the single instance of Gessler, who  
v. fell a victim to his own imprudence, not one  
drop of blood was shed.

The welcome intelligence flew rapidly from mountain to mountain. The goat-herd threw aside his pipe and crook, and armed in the common cause. STAUFACHER, MELCHTHAL, TELL, and WALTER FURST, were received by their exulting countrymen, with every demonstration of gratitude, which the simplicity of rustic manners would allow. The opulent farmer set wide his hospitable door to his poorer neighbour, and amid the universal festivity the names of their deliverers resounded with blessings from every tongue. The world, perhaps, never exhibited a spectacle more congenial to the feelings of humanity. It was THE TRIUMPH OF INNOCENCE OVER DESPOTISM.

On the following sunday a general assembly of the inhabitants of the three cantons met, to renew the alliance for the space of ten years. The bond of union was conceived in the *terms*, and subject to the *limitations*, which have been already laid before the reader. It is a distinctive feature indeed in the character of the  
Swiss,

Swiss, that they maintained the same spirit of CHAP.  
moderation in the hour of success, and of de- V.  
pression. Neither is the conduct of their leaders  
less remarkable. Thrice happy in the happi-  
ness which they procured for others, they  
aimed at no distinctions but those of virtue;  
and retiring to the tranquil scenes of domestic  
enjoyment, continued to live in that enviable  
state, where the heart has nothing to covet,  
and the historian nothing to record\*.

\* According to May, Tell lived to a good old age. He distinguished himself at the battle of Morgarten, as a private soldier; but he invariably rejected every post of eminence. At the age of eighty-three he perished in an inundation, which destroyed the little town of Burglen. Tell had two sons; William, the eldest died before his father, without issue; Walter, the younger, was born after the revolution, and left several children, whose descendants successively filled the highest offices in the canton till 1684, when the family became extinct. May, I. xxxi,

## CHAP. VI.

*Assassination of Albert—Inhumanity of Agnes—  
 Leopold Duke of Austria—Battle of Morgarten  
 —Prudent Conduct of the Swiss—Truce with  
 Austria—League with the Emperor Lewis—  
 Death of Leopold—Affairs of Italy.*

CHAP. VI. THE behaviour of Albert, toward the forest-cantons, had been imprudent in the extreme; To induce them to abandon their liberties, he held out temptations, by which he virtually acknowledged them to be an independent people. The compulsory system which he subsequently adopted constrained them to make trial of their strength, and thus led them gradually to pass those bounds, within which they would have willingly remained. The violence of his temper indeed seems to have been at constant variance with his policy, and to have prevented him from employing those precautions which could alone have afforded him any rational hope. Unable to command his passions, he persuaded himself that



that every obstacle which stood in the way CHAP. of his ambition was to be overcome by force ; VI. and accordingly to force he frequently resorted in vain, when means more gentle might have been crowned with success. The general opposition which he experienced served only to stimulate him to more daring attempts ; and no sooner was he made acquainted with the revolution which had taken place in the forest-cantons, than he forbade his subjects by a decree to hold any further intercourse with that rebellious people, declaring at the same time his resolution of putting himself at the head of a numerous army in the ensuing spring, in order to reduce them to obedience. But Providence had decided otherwise, and by a premature death arrested his proud career.

By the will of his deceased brother the duke of Suabia, the emperor had been appointed sole guardian to his nephew John. This young prince, who was no longer a minor, had made reiterated applications to his uncle for the investiture of his patrimonial fiefs, but had been put off from time to time by evasive answers, under pretence of his youth

CHAP. youth and inexperience. For some months

VI. he submitted with patience; but perceiving that Albert continued to defer the completion of his promise on the most frivolous excuses, though the same plea was not admitted with respect to his own children (upon the elder of whom, his co-eval, he had already conferred very extensive domains,) he naturally inferred, that it was the emperor's intention to defraud him of his hereditary possessions, in order to bestow them on one of his younger sons. How far his suspicions were well founded it is by no means easy to ascertain: yet it is fair to confess that the general tenor of Albert's conduct seemed in some measure to justify his apprehensions. John brooded over his wrongs in secret, and persuaded himself that their enormity was such as to justify regicide. The emperor's unpopularity rendered it easy for him to find accomplices. Ulric of Palm, Walter of Eschenbach, Conrad of Taggerfeld, and Rodolphus of Wart, men of illustrious names and powerful connections, undertook the deed of blood\*.

It was resolved to assassinate

\* These four noblemen were appointed gaurdians of the

assassinate Albert in his way from Baden to Rheinfelden. Just as he had passed the Reuss near Windish, and was separated by the river from the main body of his attendants, they assailed him unawares. John led them on, and as he struck the fatal blow, emphatically exclaimed, "RECEIVE THE REWARD OF THY INJUSTICE †." CHAP. VI.

The consternation occasioned by this atrocious act was universal ; but as men began to recover from the first impression, their judgments, as usual, were in a great measure biassed by their interests. So that while one party loaded the conspirators with the execrations which they so justly merited, the other viewed their conduct with a less indignant eye, and even attempted to palliate their guilt. The forest-cantons were particularly interested in the event, yet they behaved with their wonted moderation, and were prudent

the young prince, by his father Rodolphus, who was aware of the difficulties to which he might be exposed from the rapacity of his uncle, and in consequence extorted from them an oath to defend his son against every injustice, even at the risk of their lives. May, I. xxxiv.

† Muller, II. i. Tschudi, iv. Stumpf. vii.

enough

CHAP. enough to refrain from any public demon-

VI. strations of joy. Other towns in Switzerland, which made part of the contested patrimony, and consequently reverted to John, shut their gates at his approach, refusing to admit a regicide within their walls. Devoted to public detestation, and a prey to all the horrors of a guilty conscience, that wretched prince saw no means of escaping the sword of justice, except by taking the vows in the monastery of St. Augustin at Pisa ; where, by a rigid observance of religious discipline, and a life of continual penance, he endeavoured to atone for his offence.

Meanwhile the Austrian family were less active in pursuit of the assassins than in that of the vacant crown. It was the great object of their ambition to place Frederic, the eldest son of the late emperor, on the throne of Germany; and such was the natural benevolence of this young prince's disposition, that his friends vainly flattered themselves with success, trusting that his private virtues might efface those unfavourable impressions which his father's violence had too justly excited. No sooner, however, did they find themselves disappointed

disappointed by the election of Henry of CHAP. Luxembourg, than they began seriously to think of revenging the death of their murdered chief; and to this they were still farther stimulated by the love of plunder, and the prospect of confiscation. Three armies were in consequence assembled under able commanders, which took possession of the estates of the regicides. Desirous, by the violence of persecution, to compensate for its tardiness, they conducted the war with every refinement of cruelty which can mark a career of blood. Nor were the fatal effects of this vindictive fury confined to the guilty. The spirit of interest began shortly to blend itself with the spirit of revenge. Many persons of distinction, to whom no probable suspicion could attach, but whose political principles were hostile to the views of Austria, or whose possessions were the objects of her avidity, were involved in the general proscription. The empress Elizabeth, and her daughter Agnes (the widowed queen of Hungary), laying aside all the delicacy of the female character, were frequently present at these sanguinary spectacles, animating the executioner  
to

to the performance of his office. The details of this subject, disfigured by every monstrous passion that can deform and vilify the human heart, constitute no essential part of the present narrative. But there is something so peculiarly affecting in the sad destiny of one of these unfortunate sufferers that it demands to be recorded.

No sooner had Albert breathed his last, than Rodolphus of Wart fled with precipitation to a strong fortress, situated on the borders of Switzerland. Scarcely had he time to embrace his wife, the virtuous and accomplished Adelaide, than yielding to her tender solicitations he assumed the habit of a pilgrim, and traversing the higher Alps, took refuge within the walls of Rome. Meanwhile his disconsolate wife remained in the castle with her infant son, secure in conscious innocence, and in the respect which was due to her weaker sex. Too soon, however, was she fatally roused from this dream of peace. The ferocious Agnes approached; and short and ineffectual was the resistance which her faithful vassals could oppose. Numbers prevailed; and entering the castle over the  
bodies

bodies of the slain, with insulting triumph CHAP.

Agnes hastened to the apartment of Adelaide. VI.

The wretched mother lay lifeless over the cradle of her child. Unmoved at the piteous

sight, the inexorable queen seized the infant in her arms, exclaiming with savage exultation,

“The blood of regicides shall not escape!”

Awakened from her insensibility, Adelaide started wildly at the terrific threat, and fell at

the feet of her persecutor. Any heart, save that of Agnes, would have melted with compassion.

But with a stern barbarity, almost incredible in woman, she turned to her attendants, and

bade them “instantly despatch the brat.”

It stretched out it's little hands for mercy.

The soldiers paused. Enured as they were to blood, an unknown sentiment of pity took

possession of their hearts. They remonstrated against the severity of the order, and for

once seemed inclined to disobey. Perceiving

that it would be unsafe to press them farther, the queen made a virtue of necessity, and

reluctantly granted what it would perhaps have been dangerous to deny. The unfortu-

nate Adelaide once more clasped her darling to her breast. But her hopes of happiness

for

CHAP. for ever disappeared, when she learned that  
 VI. her husband was a prisoner in the hands of  
 his relentless foe\*.

Betrayed by the treachery of the holy see†, Rodolphus was brought before the high tribunal which had been instituted for the express purpose of trying the murderers of Albert; and was condemned to be broken alive upon the wheel, on the very spot where the deed had been perpetrated. The sentence was executed with the utmost rigour, and the miserable victim abandoned to his fate‡. For three days and nights, languishing in a

\* The fate of the other conspirators is thus described by May: Disguised in the dress of a peasant, Eschenbach escaped the vigilance of his pursuers, and retiring to a small village in the duchy of Wirtemberg, gained his living by the meanest occupations. His real character remained concealed till the hour of his death, when he divulged the secret to his confessor, in order to receive absolution. With the destiny of Taggerfeld, the world is unacquainted. Assuming various disguises, Palm took refuge in a female convent at Bâle, where he was received in the capacity of a menial servant, and lived unknown till his death. I. xxxv.

† According to May, he was betrayed by his relation, the count of Blamont, to whose protection he had recourse in his distress. Vol. I. Sect. 35.

‡ Stumpf. Muller, Stretler.

state



state of excruciating torture, he evinced the CHAP. V.1.  
 most unshaken fortitude; disdaining to gratify  
 the ferocity of his enemies by the slightest  
 indication of suffering, and in calm discourse  
 with the astonished spectators, denying that  
 he had been guilty of any crime. He tri-  
 umphed, he said, in having been instrumental  
 to punish an usurper, who had bathed his  
 sacrilegious hands in the blood of his lawful  
 sovereign, the emperor Adolphus. With equal  
 magnanimity did the beauteous Adelaide  
 continue on her knees before the scaffold, in  
 a posture of motionless grief, during the whole  
 of this agonising scene. Without food, with-  
 out covering, and without a friend, she  
 offered up her solitary prayers for the soul  
 of her beloved husband, after having in vain  
 implored the remorseless Agnes to terminate  
 his sufferings by one compassionate blow.  
 At length exhausted nature stood his friend;  
 and no sooner did she behold him at rest,  
 than she wandered on foot to a convent at  
 Bale where in a paroxysm of affliction she  
 expired\*.

\* Muller, II. i.

CHAP. The forest-cantons were not only delivered

V.I. from an active and dangerous enemy by the death of Albert, but found in his successor a patron and friend. Henry began his reign by confirming all the privileges which they had enjoyed under the most partial of his predecessors; a favour which was peculiarly grateful in their present situation, as it might reasonably be interpreted into a tacit approbation of their former conduct. In return for so flattering a mark of royal bounty they sent a detachment of three hundred men to accompany him on his expedition to Rome; an aid which proved of material service, as the example was imitated by many of the neighbouring states.

Previously to his departure for Italy, Henry flattered himself with having established the tranquillity of Switzerland upon a permanent basis. But scarcely had he crossed the Alps when the old animosities between the forest-cantons and the monks of Einsiedlen began to revive; and the subjects of Austria were indiscreetly forward to engage in the contest.

Soon after his accession, the emperor appointed Rodolphus of Rapperswyl (who was descended

descended from a collateral branch of the CHAP. house of Hapsburgh) to the office of imperial V.I.7  
 bailiff over Zurich, the Thurgau, and the forest cantons; but with express injunctions to conform implicitly to ancient usages, and more particularly to beware of infringing those privileges which he had so recently confirmed. Rodolphus executed his trust with integrity and discretion; but the period of his administration was short. For no sooner did the house of Austria discover, that he was a man of too elevated a spirit to be blindly devoted to their service, than by calumnies and misrepresentations, displaying all his actions in an unfavourable light, they prevailed upon the emperor to dismiss him, and to substitute Everard of Burglen, a creature of their own, in his place.

Desirous of throwing suspicion over the conduct of his countrymen, or influenced by the prevailing passion of the day, which considers every species of reform as a prelude to ruin, a modern writer has attempted the vindication of the house of Austria. But surely, nothing can place her designs in a more odious point of view, than simply to

unity on the subject of those emigrants who, within their local jurisdiction, were simply illustrated by the example of Adolphus of Luxembourg. But the Austrian prince proceeded in removing the disquietude of his subjects, devoting to their interest, the vexatious system which he pursued during the reign of the forest-cantons, whose eyes were ever fixed upon the proceedings of their common foe, thought it time to put themselves in the most important posture of defence; and for this purpose they erected a small fort. No sooner that of Stanstad on the lake of Lucerne, than he resolved to take it by surprise; little doubting that his undertaking, if successful, would receive the sanction

of his master's approbation. A party of troops was, in consequence, embarked on the lake in the evening. They were to move near the fortress at the dawn of day, and had orders immediately to scale the walls, as the garrison could be prepared for resistance. But the vigilance of their enemy was not to be lulled by apparent security. The guard discovered them, as they approached the shore. The alarm-bell sounded, and from every quarter the people ran to arms. In an instant the assailants were repelled. The vessel, which brought them, was sunk; and the greater part of the detachment either put to the sword, or drowned attempting to escape\*.

These petty hostilities, the odium of which might be easily thrown upon the over-active zeal of inferior agents, would in all probability have been attended with no farther bloodshed, had not the death of Henry, after a short reign of little more than four years, produced a total change in the aspect of public affairs. Two princes immediately de-

\* Tschudi, IV.

CHAP. recall to the reader's recollection the terms of

VI. amity on which the Swiss invariably lived with those emperors who were unconnected with their local politics, and had no possessions within their territories. This reference is amply illustrated by the reigns of Frederic II. of Adolphus of Nassau, and of Henry of Luxembourg. But the restless ambition of the Austrian princes proved a constant source of disquietude. Scarcely had they succeeded in removing Rodolphus, and in nominating as his successor a person entirely devoted to their interest, than they began to renew the vexatious system which had been pursued during the reign of Albert. The forest-cantons, whose eyes were ever jealously fixed upon the proceedings of their implacable foe, thought it time to put themselves in a posture of defence; and for this purpose fortified the most important passes, particularly that of Stanstad on the lake of Lucerne, where they erected a small fort. No sooner was the governor of Lucerne made acquainted with this circumstance, than he resolved to take it by surprise; little doubting that his undertaking, if successful, would receive the sanction

sanction of his master's approbation. A party, CHAP. VI.  
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\* Tschudi, IV.

T 3

clared

CHAP. clared themselves candidates for the vacant

VI. throne; Lewis duke of Bavaria, and Frederic duke of Austria. The contest was carried on with great animation on both sides, but terminated in favour of the former. The Swiss in general, and the forest-cantons in particular, beheld the struggle with anxious expectation; and celebrated its result with imprudent expressions of joy. So open an avowal of dislike gave umbrage to Leopold, the younger brother of Frederic, who had already distinguished himself in the Italian wars, and panted for an opportunity of adding fresh laurels to those which he had already acquired. Nor was a plausible pretext wanting. Their differences with the monks of Einsiedlen afforded an inexhaustible source, whence ambition might at all times derive a specious plea for injustice. It was as *advocate* for that wealthy monastery that Leopold declared his intention of vindicating their rights by force of arms.

Foreseeing the consequences which might ensue from an open rupture, the citizens of Zurich exerted all their influence to appease the rising storm; and so far accomplished this



this important point, that they prevailed upon CHAP.  
 both parties to submit their pretensions to VI.  
 arbitration. But their purpose was frustrated  
 by the imprudence of their allies. The  
 religious society of Einsiedlen was composed  
 exclusively of persons of noble birth. The  
 prevailing prejudices of aristocracy taught  
 this illustrious body to view the inhabitants of  
 the forest-cantons with an eye of contempt.  
 They seldom met without a quarrel; while  
 every insult, though offered to the meanest  
 peasant, was considered by republican pride  
 as a national affront, and resented as an in-  
 fringement of the treaty. Convinced that  
 no reliance could be placed upon the pro-  
 fessions of a fraternity, whose actions were  
 governed by no fixed principles of justice, and  
 finding that the abbot (though, apparently, de-  
 sirous of an amicable accommodation) wanted  
 authority to enforce his opinion, they resolved  
 to depend no longer on the slow and un-  
 certain effects of negotiation, but to adopt  
 measures of a more speedy and efficacious  
 character. Every thing therefore being pre-  
 pared for the attack, the convent was invested  
 in the dead of night, and the most obnoxious  
 T 4 members,

CHAP. members, with a considerable booty, carried  
 VI, off by the victors \*.

It is by no means an easy task to vindicate the assailants on this occasion, since they appear to have acted from the impulse of the moment, without sufficiently weighing the consequences of their imprudence. These, however, were serious beyond their expectation. For the Zuricers were so highly offended by their conduct, that they declared their resolution of withdrawing from them their support, and of leaving them entirely to their fate.

Frederic engaged the bishop of Constance to excommunicate his opponents, and not having yet abandoned his claims to the imperial crown, he boldly ventured upon his own authority to lay them under the ban of the empire. On the other hand, the emperor Lewis, who favoured the forest-cantons out of rivalry to the house of Austria, prevailed upon the archbishop of Mentz to withdraw the interdict, while he himself absolved them from the imperial ban †.

\* Tschudi, IV.

† Muller, II. i.

Meanwhile,

Meanwhile, Leopold exerted all the united powers of influence and persuasion to ensure success to his intended expedition. The town of Baden was appointed for the general rendezvous of his troops, which were drawn from the remotest provinces of Austria. At the head of a numerous army he determined, in person, to enter the territory of Schweitz by the defile of Morgarten; while a body of four thousand men, under the count of Strasberg, was destined to traverse the mountains of Unterwalden, and to take the enemy in the rear.

The forest-cantons at length began to be fully sensible of the danger to which they were exposed, and discovered too late that they must trust for protection solely to their swords. In spite of all his promises, they found Lewis unable to furnish effectual succour; and so great was the terror of the Austrian name, that not one of the adjacent states had courage to undertake their defence. Determined however to perish gloriously rather than submit to dishonourable conditions, they rejected with disdain the offers made by the count of Toggenburg in the

CHAP. the name of Leopold, which in fact were of a

VI. nature too degrading to be listened to by men capable of bearing arms, and unsubdued by habitual slavery. In such a situation despair gives courage to the most undecided. Not a symptom of irresolution was to be seen. Not a heart but kindled with the flame of patriotism; not a voice but joined in the general cry of DEATH OR FREEDOM. Neither were any precautions omitted which prudence or resolution could suggest. The favour of Heaven was courted by fasts and processions. The passes were fortified with diligence. The youth were trained to the exercise of arms; while every citizen, capable of wielding a sword, was summoned to the standard of liberty. Yet after every exertion they could only muster thirteen hundred men: of these Uri furnished four, Schweitz six, and Unterwalden three hundred\*. This diminutive army was, however, animated with a spirit unknown to the mercenary tools of despotism. With perfect resignation they looked forward to the event of the approaching battle, which

\* Both Staufacher and Melchthal had principal commands. May, I. xxxvii.

must

must decide their mortal destiny. Conscious CHAP.  
of having discharged their duty to posterity, VI.  
they resolved not to survive the liberties of  
their country.

In this temper of mind it was determined to march to the confines, and meet the enemy, whose route was no longer a secret. On the evening preceding their departure, a body of fifty Schweitzers, who during the late commotions had been banished on account of their political opinions, unexpectedly presented themselves before their astonished countrymen, and claimed the privilege of expiating with their blood the errors which they had been induced to commit. It was an established rule in the forest-cantons, that all decrees against traitors were irrevocable. And so strong was the attachment of this magnanimous people to ancient forms, that notwithstanding the importance of such a reinforcement, the offer was rejected with disdain. Suspicion, perhaps, might contribute to dictate this bold refusal. But whatever may have been the motive, they remained inexorable, commanding the exiles to quit their territory without delay. Convinced of the inefficacy of all further remonstrances,

CHAP. monstrances, they feigned compliance, resolv-

VI. ing secretly to prove themselves worthy of the honour for which they had petitioned in vain. No sooner therefore were they conducted to the frontiers, than they posted themselves in ambuscade upon the summit of the mountain, which commands the pass of Morgarten, where by their well-directed exertions they in a great measure decided the fate of their country.

It was on the sixth of November, a day ever memorable in the annals of Helvetia, that Leopold attempted to penetrate through the defiles of Morgarten into the territories of a people, who were scarcely known beyond the confines of their own state. He was at the head of an army which, considering the inferiority of the force opposed to it, might with some appearance of reason be deemed invincible. The inequality of numbers\*, the difference in point of arms as well as in mili-

\* Tschudi represents the Austrian force at only 9000; Vitoduranus and May make it amount to 20,000. Several other writers calculate it at 15,000, which is nearly the medium between the two extremes, and therefore probably more accurate than either.

tary

tary tactics, the circumstances of the combat, CHAP. VI.  
no less than the manner in which it terminated, combine to place the battle of Morgarten among those extraordinary events, which sometimes give an air of fable to the best attested facts ; and which, if celebrated by the pen of a Thucydides or a Livy, would have rendered the defenders of Helvetic liberty not less the objects of veneration to succeeding ages, than Decius devoting himself for the safety of Rome, or Leonidas expiring in the straits of Thermopylæ.

Cased in complete armour, and almost secure against the possibility of a wound, the Austrian cavalry moved forward like an iron wall ; while the Swiss infantry waited their approach in anxious expectation, having nothing but offensive weapons to oppose to their attack. In an open plain, which would allow of their moving in a condensed mass, even according to the common laws of mechanics, the shock of such a body must have borne down all before it. It is equally certain, however, that their powers of acting were greatly circumscribed by local circumstances. Yet notwithstanding all disadvantages, the superiority

CHAP. superiority of numbers was so considerable

VI. that it appeared beyond the reach of accident  
to retard their progress.

At the head of this formidable host Leopold, elate with anticipated victory, advanced at the dawn of day. The glittering arms, the floating plumes, the neighing steeds, gave an air of triumph to his march. Composed of the most illustrious personages in his dominions, his cavalry led the way. The infantry pressed close behind, as if apprehensive of losing their share in the glories of the field. No sooner were they arrived at the narrow pass between the little lake of Egeri and mount Sattel, where the only practicable path, hewn out of the native granite, hangs suspended over the flood, than the fifty exiles posted above rolled down immense fragments of rock from the impending cliff, accompanied by an incessant shower of smaller stones. Bruised and terrified, the horses broke their ranks. The efforts of the horsemen were ineffectual. Neither caresses, nor blows, could persuade them to proceed. In an instant, the whole troop was in disorder. The greater part rushed back on the infantry, who were prevented



prevented by want of space from opening their ranks to give them passage. The confusion was irremediable. The mighty masses continued to descend with increasing ruin. The foot were either trodden under the hoofs of the unruly chargers, or in their efforts to disengage themselves, precipitated their riders into the abyss. The little handful of confederated Swiss beheld with astonishment the scene before them, scarcely daring to believe it real; and seizing the propitious moment, rushed forward with their swords and halberts, while by the closeness of the attack they rendered useless the long spears, which were the most formidable weapons of the cavalry.

Thus, in the space of a single hour, was the victory decided, and all the mighty projects of Austrian ambition dissipated like the mountain-cloud. The loss of the vanquished was prodigious. Tschudi, an author never known to exaggerate, estimates that of the cavalry alone at more than a thousand men, the greater part of whom were of noble extraction\*. Other writers make it amount to

\* It must be highly gratifying to the feelings of the reader, to learn that Landenberg was among the number of the slain.

CHAP. a third more; yet neither calculation includes  
 V. those who perished in the lake, and whose  
 number must have been considerable.

The joy occasioned by this important conquest was still more enhanced by the trifling loss with which it was attended, and which is universally allowed not to have exceeded fifteen men. Returning from the pursuit, the triumphant Swiss fell upon their knees, and poured forth their thanks to Providence on the field of battle, for this signal instance of divine favour. On the same spot they remained till the following morning, still mistrusting their fortune, and expecting every moment that the enemy would renew the attack †.

In this situation, a messenger arrived with intelligence that the count of Strasberg, having crossed the *Bruning* with four thousand men, had penetrated to Sarnen, and was ravaging the adjacent country. Immediately the men of Unterwalden, accompanied by a reinforcement of one hundred Schweitzers, crossed the lake with a favourable gale, and learning upon their landing, that the

† Muller, H. i.

Austrians

Austrians were dispersed in detached parties CHAP.  
 for the purposes of plunder and carnage; they VI.  
 marched without delay in search of the foe.  
 They found them occupied in pillaging Stanz,  
 and falling upon them unexpectedly, compelled  
 them to retire with precipitation, leaving their  
 valuable booty behind. Elate with success,  
 and thinking nothing too arduous for courage  
 to achieve, they scarcely allowed themselves  
 a moment to breathe, but flew to meet the  
 Austrian general, who was posted near Kus-  
 nach with the rest of his army. It is a remark  
 of Tacitus, *that fear operates first upon the*  
*sight* \*; and the truth of this observation was  
 never exemplified in stronger colours than in  
 the instance before us. For no sooner did  
 the count behold the banners of Schweitz, and  
 hear the shouts of victory, than suspecting  
 the fatal issue of the battle of Morgarten, he  
 was seized with a sudden panic, and retreated  
 in disorder.

Thus was the independence of the forest-  
 cantons established by two successive victories,  
 scarcely less remarkable for the facility with

\* *Primi in omnibus præliis oculi vincuntur.* De  
 Mor. xliii.

CHAP. which they were obtained, than for their  
 VI. important consequences. For a time, at least,  
 the Swiss were without cause of apprehension,  
 their duty to their country was fulfilled ; and  
 they had now perfect leisure to indulge the  
 less noble passion of revenge, in the punish-  
 ment of those whom they justly regarded as  
 the authors of the war. The monks of  
 Einsiedlen were the first objects whom resent-  
 ment devoted to destruction. An incursion  
 was made upon their territory, and a consider-  
 able booty carried off. Having thus given way  
 to an emotion too natural to the weakness of  
 man, and by which they incurred the censures  
 of the Romish church, a more pleasing duty  
 remained to be fulfilled in the just remunera-  
 tion of those brave men whom gratitude forced  
 them to reward. With universal jubilee the  
 gallant exiles were welcomed back into the  
 bosom of their admiring country, and re-  
 established in all the rights of citizenship.  
 Neither was this their sole concern, for as a  
 religious people, unsophisticated by the pre-  
 tended lights of philosophy, they turned with  
 rapture to the Divine Source, to whose abun-  
 dant mercy they ascribed their present happi-  
 ness.

ness. Impelled by this active principle they CHAP.,  
 set apart the sixth of November as a day of VI.  
 national festivity, in commemoration of their  
 miraculous escape; and the solemnity has  
 ever since \* been regularly celebrated by a  
 grateful posterity, in all the simplicity of  
 ancient manners.

Notwithstanding the glorious circumstances  
 however, which distinguished the victory of  
 Morgarten, it was considered by prudent  
 men rather as a brilliant triumph, than as  
 an event likely to be productive of perma-  
 nent benefit. The period of Helvetic ruin  
 was postponed: but it could never be sup-  
 posed that the house of Austria, with her  
 advantages of force, would tamely abandon  
 or ultimately fail in the contest. The Swiss,  
 resolved, however to persevere; and with  
 this view a national assembly was convened,  
 in which it was unanimously determined that  
 the league should be made perpetual, which  
 had hitherto been restricted to a limited 1315.

\* According to Muller, this festival was celebrated  
 in 1776, and it was very probably continued till every  
 civil and religious institution miserably perished in the  
 late universal wreck of Helvetic freedom.

CHAP. period\*. But they did not yet venture to  
 { VI. separate from the German body, or to erect  
 themselves into an independent common-  
 wealth. Their ambition was confined to the  
 preservation of their liberties; which they  
 could not flatter themselves to accomplish,  
 unless by the continuance of peace.

The consequences of the late defeat were severely felt at the Austrian court, as there were few illustrious families which had not suffered in some of their branches. Even Leopold himself was so dejected at his ill-fortune, that he abandoned himself to despair †.

Meanwhile, Lewis and Frederick, both of whom assumed the title of emperor, were so entirely occupied with their private quarrel, that they found little leisure to attend to the affairs of Switzerland. The former, however, let slip no opportunity of attaching the forest-cantons to his interest, from their known inveteracy against the house of Austria. At  
 §18.

\* This ceremony took place at Brunnen in Schweiz, on the 6th of December, 1315, and was renewed in 1713.

† The following passage is taken from Vitoduranus: Inter quos dux Leopoldus reversus, tanquam *seminortuus* apparuit, *nimiâ præ tristitiâ*; quod oculis meis conspexi.

a diet,

a diet, held at Nuremberg, he put the duke of Austria under the imperial ban; and re-established the ancient feudal connection which had heretofore subsisted between the German empire and the forest-cantons, and which had been surreptitiously transferred by Albert to his own family to the prejudice of the imperial crown. In grateful acknowledgement of so valuable a benefit, the Swiss sent a reinforcement of two hundred men to join the imperial army in Italy. This mark of attachment so delighted the emperor, that he immediately ratified all their ancient privileges; and having deprived the count of Strasberg of the government of the *Hasli-thal*, bestowed it on the lord of Weissenberg, who was a firm friend to the forest-cantons. By these, and other acts of partial favour, he gained such an ascendancy over the minds of this honest people, that in the subsequent years of his reign he derived important assistance from their active gratitude\*.

The Austrian provinces, which lay contiguous to the scene of action, suffered so severely from the continuance of the war,

\* Tschudi, v.

that

CHAP. that they left no means unattempted to effect  
VI. a peace; and so far succeeded, that Leopold  
was at length persuaded to consent to their  
concluding a truce with the Helvetic peasant-  
try, though he disdained himself to be con-  
cerned in the negotiation.

This, however, was by no means sufficient  
for their purpose. It was obvious that the  
few privileges, which they still enjoyed, were  
objects of jealousy to the house of Austria;  
nor could they be ignorant that, if Leopold  
had triumphed over the independence of their  
magnanimous neighbours, they would them-  
selves have been left entirely at his mercy.  
Impressed with these ideas, they renewed  
their solicitations in the most energetic terms;  
till the duke wearied out by their importunity  
consented to a suspension of arms for the  
term of one year, which was subsequently  
prolonged to five.

The channels of commerce were now re-  
opened, and an amicable intercourse esta-  
blished. Every spark of animosity seemed  
extinct, and many of the high-minded youths,  
who had drank too deeply of the cup of fame  
to return contentedly to the inglorious toils of  
aggriculture,




agriculture, were induced to enter into the service of Leopold, and fought under his banners with distinguished reputation. CHAP. VI.

The defeat and captivity of Frederic, at Muhldorf in Bavaria, obscured the prospects of Austria with a transient cloud, while they revived the hopes and spirits of the Swiss. The humiliation of their hereditary foe was a circumstance peculiarly fortunate for the forest-cantons, as Leopold was constrained by political motives to change his behaviour; and to adopt conciliatory measures, in order that he might not leave an enemy on his flank, while he was directing his efforts to the recovery of his brother's freedom.

To the abbot of Einsiedlen, also, he represented the necessity of consenting to a reconciliation: and, in cases like this, the wishes of a superior in general operate with the authority of laws. The abbot was too weak to consult his own inclinations, and ecclesiastical rancour was compelled for once to assume the mild mask of charity.

The period now approaching for the termination of the armistice between Leopold and the forest-cantons, Lewis artfully suggested

CHAP. VI, that the moment was arrived when they might  
VI,  avenge their former wrongs, and by uniting  
their forces with those of Berne, give a de-  
cisive blow to the common enemy. Finding  
however that they were deaf to the sugges-  
tions of ambition, he represented to them the  
great advantage which he should himself  
derive from such a confederacy, even though  
they should take no active part in the quar-  
rel; and that they might thus render an  
essential service to him, without the smallest  
hazard to themselves. These arguments were  
effectual; for though unwilling to risk a cer-  
tain good in the chimerical pursuit of glory,  
they were sensible of their obligations to the  
emperor, and happy in an opportunity of  
testifying their gratitude. He likewise on his  
part, was equally liberal. He was acquainted  
with their predominant passion for indepen-  
dence, and omitted no occasion to gratify  
it\*.

The office of imperial bailiff was still in existence; but from the holder of it nothing hostile was to be apprehended; and as the emperor himself had expressly declared, that

\* Tschudi, v. .

**they**

they were bound to obey his commands no farther than was consistent with their ancient privileges as members of the Germanic body. This circumstance is the more deserving of attention, as it is the last instance of the kind. The employment, indeed, nominally subsisted; but the magistrates were chosen from among the natives, and exercised a plenary authority, even in those cases which were formerly referred to the paramount jurisdiction of the emperors. Thus, by degrees, a total separation took place between the forest-cantons and the Germanic body. This proved a fortunate event for the Swiss, as it was a connection by no means favourable to the weaker party, and had frequently exposed them to danger from the artifices of aspiring princes, while it had scarcely ever been productive to them of any essential good \*.

Such, however, was the restless spirit of the princes of Austria, that no lessons of experience, however severe, could long curb their ambition. It must be admitted indeed, that their plans were not always combined with that sagacious prudence which is indispen-

\* Tschudi, v.

CHAP. sable to success. In the cause of justice, men

VI. may struggle against adversity with honour  
and reputation; but it is good fortune alone  
which can palliate usurpation, or give an  
appearance of splendor to acts of treachery.  
A fruitless attempt made by Leopold to sur-  
prise the town of Constance was of this de-  
scription. The failure was disgraceful, and  
induced the inhabitants not only to conclude  
an alliance with Zurich and Landau, but also  
to declare openly in favour of Lewis. The  
contest, however was not of long duration,  
for the Austrian power had not as yet reco-  
vered the defeat at Muhldorf, and Leopold  
finding himself frustrated in every attempt to  
procure his brother's enlargement, was finally  
1325. reduced to the humiliating necessity of ac-  
knowledging his rival's claim to the imperial  
crown\*.

1326. Leopold did not long survive this bitter  
mortification, and he was soon followed by  
Frederic to the grave. So that, of Albert's  
numerous progeny, two sons alone remained;  
Otho, and Albert. A partition almost imme-

\* Barre, IV.

diately

diately took place, when Suabia, Alsace, and CHAB.  
Switzerland, became the portion of the former. VI.

Having at length established an apparent 1327.  
calm, and thinking himself secure from every  
danger on the quarter where he had most to  
fear, Lewis rashly embarked in those schemes  
of ambition which have been ever fatal to the  
prosperity of Germany, and entered Italy at  
the head of a formidable army. Few occur-  
rences in the annals of human weakness place  
royal vanity in a more degrading light than  
the sacrifices so repeatedly made by the chiefs  
of the empire for the attainment of an object  
which presented no substantial foundation of  
glory or of power; but which may be classed  
with justice among those splendid chimeras,  
which in all ages and countries have occasion-  
ally led astray even the wise and the virtuous  
from the paths of moderation. The honour  
of receiving the imperial crown in the capital  
of the Cæsars was a temptation too strong  
to be resisted by princes, whose intellectual  
faculties were superior to those of Lewis.  
Yet no sooner had he crossed the Alps than  
he found cause to repent his indiscretion.

The

CHAP. The tranquillity which prevailed in Germany

VI. at the time of his departure was established upon the precarious basis of terror. The acrimonious humours were subdued by the constant application of active remedies, but no radical cure had been effected. The leaven of discontent remained, and little was wanting to put it once more into a state of fermentation. Besides, the papal faction, whom a reciprocity of interests had intimately connected with the partisans of Austria, waited only for a favourable moment to assert their pernicious principles, and by the absence of the emperor that moment seemed now to be afforded\*.

1328. Meanwhile, Lewis continued to advance with rapid steps into the heart of Italy; and not only received the crown of Lombardy from the hands of the bishop of Arezzo at Milan, but in spite of the intrigues and the resistance of John XXII. penetrated without loss to Rome, where he was welcomed with every demonstration of tumultuous joy by the *Colonna* faction, and crowned in St. Peter's church by the patriarch of Venice †.

\* Schmidt, Geschichte der Deutschen, VIII. vi.

† Id. ib.

During

During his abode at Rome, Lewis hazarded a step, at which the boldest of his predecessors would have trembled. For in defiance of all the anathemas thundered out by the indignant pontiff, he summoned John before his tribunal, to answer personally to the accusations laid to his charge. The pope, as we may easily conceive, had the precaution to keep out of the way. Having therefore waited a reasonable time for his appearance, the emperor proceeded to a trial, and in a general assembly of the princes and prelates of the imperial party, after declaring him guilty of many heinous crimes, ventured to pass upon him sentence of death. John revenged himself by vomiting forth excommunications and interdicts against the emperor and all his adherents, with the single exception of the poet Petrarch. Such was the tribute paid to genius by a man, who according to the writers of the Ghibelin faction, had been guilty of every enormity\*.

Every thing having thus succeeded to his wishes in Italy, Lewis again turned his

\* Villani, X. xcvi. and Muratori, Script. Rer. Ital. xiii. 660.

thoughts

CHAP. thoughts to the affairs of Switzerland; and

**VI.** being desirous of giving to the forest-cantons: a signal proof of his favour, published an imperial rescript, confirming all their former privileges in the most precise and satisfactory

1329. terms. A league likewise, which had lately been concluded by the towns of Strasbourg, Bale, Zurich, Berne, Fribourg, Constance, Lindau, St. Gal, Uberlingen, and Ravensburg, for their mutual security, received strong assurances of his patronage and protection. The object of this union was evidently levelled against the house of Austria, and upon that account it had additional claims to the empe-

1330. ror's countenance. Austria, however, had recently acquired a considerable accession of strength by the death of the count of Homburg, from whom, in default of male issue, John of Hapsburg inherited the march of Rapperswyl. The situation of the town of Rapperswyl, with respect to Zurich, rendered it an object of peculiar importance to a family who viewed the progress of Helvetic liberty with a jealous eye. Nor was Otho satisfied till he had prevailed upon John, a weak and indolent prince, to resign to him this newly-acquired



acquired territory, and to hold it of him as his *liege lord* \*.

CHAP.

VI.

During the absence of Lewis the Austrian faction had re-commenced hostilities at the instigation of the pope. Exhausted in the Italian wars, the imperial forces were no longer in a situation to face their adversaries ; so that Lewis was reduced to purchase peace upon any conditions which his enemies thought fit to impose. Fortunately for him, however, the necessitous state of the Austrian finances tempted Otho to accept of a pecuniary supply, in satisfaction of all his demands. To raise the required sum, Lewis had recourse to a system by no means uncommon in those days of fiscal ignorance, and which had been successfully adopted by Rodolphus, with respect to the Italian states. The imperial claims upon Shaffhausen, Rheinfelden, St. Gal, and Zurich†, were transferred to the house of Austria, the more readily, as the emperor was much exasperated against those towns on account of their recent disloyalty. But to this measure, which they regarded as an

\* Tschudi, V.

† *Id.* *ib.*

infringement

CHAP. infringement of their rights, the towns them-

VI. selves vehemently objected, and by their opposition protracted the negotiation. At length, however, through the intercession of the forest-cantons, and the remonstrances of the bishop of Constance, Zurich and St. Gal were indulged with the privilege of continuing under their former government, while Otho was induced to accept Brissac and Neuberg by way of equivalent. Encouraged by the successful struggle of Zurich, the latter city was preparing to pursue the same line of conduct, when Otho determined, by a striking act of severity, to put a stop to all further resistance. Accordingly he sent a strong detachment to take possession of it by force. Being now master of the town, he punished the refractory citizens with so much rigour, that the other cities were terrified into acquiescence, and endeavoured by a studied display of loyalty, to avoid a similar fate\*.

\* Muller, II. i.

## CHAP. VII.

*General Spirit of Discontent—Lucerne joins the Confederacy—Abbey of Dissentis—Zuric—Berne—League of the Nobles—Erlach—Battle of Laupen.*

THE successful resistance of the forest-CHAP.  
cantons produced a powerful effect on the VII.  
public mind. The neighbouring states which  
had hitherto submitted without inquiry to the  
form of government, under which they were  
placed by that combination of circumstances  
so frequently and so erroneously characterised  
by the appellation of *chance*, began now se-  
riously to examine the principles of all civil  
associations ; and in such cases, from investi-  
gation to action the transition is short.

To keep mankind in a state of ignorance,  
experience has shown to be a less difficult task  
than a philosophical analysis of the human  
intellect would lead the theorist to suspect.

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X

But

CHAP. But to *unteach* them what they once have  
VII. learned, or in other words, to efface from the  
tablet of the human mind those ideas which  
observation and reflection have once imprinted  
there, is an enterprise beyond the reach of  
despotism, even when combined with super-  
stition and priestcraft, its most active allies.  
It is the same with respect to freedom. Let  
a people once taste the charms of being free,  
and no chains can hold them long in captivity.  
The terrors of martial law, a ferocious soldiery,  
with all the concomitants of wheels and gib-  
bets, may stifle the voice of complaint, and  
establish for a while that tremendous calm,  
which by the tools of tyranny is miscalled  
*submission*. But no sooner are the troops  
withdrawn than the spirit of liberty revives,  
and the explosion becomes violent in propor-  
tion to the previous compression.

With a jealous eye did the Swiss watch the  
fortunes and the behaviour of the house of  
Austria. A defeat, a concession, an oversight;  
in a word, every thing was improved to their  
advantage: while every step that was gained  
was never again to be trodden back.

It is the nature of arbitrary governments  
frequently

frequently to accelerate their own downfall CHAP.  
 by the very means employed for their preser- VII.  
 vation. Rigour is at best a precarious re-  
 medy; and often inflames the passions which  
 it is intended to subdue. The conduct of Al-  
 bert, and of his sons, is a striking instance of  
 this kind. In the course of a few years their  
 impolitic rashness contributed more essentially  
 to the emancipation of Switzerland, than  
 could have been effected by the gradual pro-  
 gress of philosophical improvement in a cen-  
 tury of calm investigation. For while by  
 their unguarded violence they kindled a ge-  
 neral spirit of disaffection among the rising  
 order of plebeians, they almost equally  
 offended the inferior nobility by the haugh-  
 tiness of their demeanor, and the severity  
 of their exactions. It was fortunate for  
 mankind that on this occasion pride got the  
 better of prudence. For without the con-  
 currence of the aristocracy every attempt  
 toward establishing despotic power was al-  
 together impracticable.

So widely diffused was the spirit of freedom,  
 that even the hereditary provinces at length  
 caught the infection, and began to reason on

CHAP. the rights of mankind, and to analyse the

VII.

principles of government. This inquiry could not fail to convince them, that nothing could be more inconsistent with the dictates of justice, than to fight in a cause in which victory would destroy all their hopes of amelioration. Under such circumstances, it was natural for them to behold with an eye of envy as well as of admiration the situation of a people who were no longer subject to the caprices of an arbitrary master. A comparative view of their respective conditions, when examined through the partial medium of prejudice and disaffection, led them by degrees to question the legality of that power under which they no longer bent in awful silence. They began to discern the dignity of the human character, and soon became convinced, that Providence in creating man had designed him for a nobler destiny than merely to suffer and to obey.

It was, however, reserved for the state of Lucerne to give the first signal of resistance. Their proximity to the forest-cantons awakened her citizens to a lively feeling of their degraded condition; and they saw no reason why

why an union, which had been productive of CHAP.  
 so much happiness to Uri, Schweitz, and Un- VII.  
 terwalden, should not spread it's beneficial  
 influence over a more extensive sphere.

Lucerne is built on the western extremity of the lake which bears it's name, and at the foot of Mount Pilate. The convenience arising from this position had long rendered it a *depôt* for every species of merchandise that was transported between Germany and Italy over the rugged summit of St. Gothard, which forms the direct line of communication between the two countries.

In a former part of this work we took occasion to notice the ancient constitution of government which prevailed at Lucerne before the time of the emperor Rodolphus. During his reign a material alteration took place: as he not only dissolved the connection, which had subsisted between that town and the monks of Murbach since the days of Pepin, but likewise deprived it of all the immunities which it enjoyed as an imperial city. Albert, it is true, in order to

\* Stumpf. vii. Tschudi, iv.

CHAP. tranquillize the public mind, engaged by the  
VII. most solemn promise never to violate those  
privileges to which the burghers were legally  
entitled by existing charters. But his subsequent  
conduct evinced how little confidence was due to the  
declarations of a prince whose actions were exclusively  
guided by ambition. Nearly the whole burthen of the war  
against the forest-cantons had been thrown upon them;  
during which all intercourse with Italy was suspended:  
and it was from this intercourse that the prosperity of the  
Lucerners arose.

Arguments like these are within the compass of the meanest understanding. But to these had been lately added a fresh cause of discontent, which it was by no means easy to forget. Much against their inclination, the inhabitants of Lucerne had been compelled to march to the siege of Colmar, which was undertaken by Otho during the emperor's absence in Italy. Many objections were started by the citizens, who dreaded to incur so heavy a charge; but their scruples were at length overcome, and an assurance was given by the governor in his master's name, that all their expenses should be reimbursed. The campaign



paign however was no sooner terminated than CHAP. a different language was employed. The pay VII. of the common soldiers was withheld, and all remonstrances were treated as seditious. Neither was this the sole cause of complaint: the liquidation of a considerable sum which had been lent to Austria was peremptorily refused under pretence that nothing more had been advanced than what was legally due by way of contribution \*.

Such repeated acts of injustice might have 1332. been sufficient to exhaust the patience of a people born in the most degraded servitude. But the citizens of Lucerne had formerly enjoyed a large portion of independence, and they knew from experience the sweets of liberty. Determined to withdraw their allegiance from a government, from which they derived no adequate advantage to compensate their ill-usage, they naturally directed their views to an union with those cantons which had already shaken off the yoke of Austria.

The first and most obvious step toward the attainment of this object was a suspension of

• Tschudi, v.

CHAP. arms. But the majority of the nobles were

VII. devoted to the house of Austria, and accordingly opposed the treaty with all their power; not doubting that its ratification would ultimately lead to the subversion of their own authority. Finding however that their influence began sensibly to decline, and that the public mind was equally proof against persuasion and artifice, they resolved to set every thing at stake, and by one daring effort either to destroy their adversaries or themselves\*. Cabals were in consequence formed, and secret conferences held among the friends and adherents of Austria. Various plans were suggested to get possession of the city, and to deliver it up to Otho. At length it was agreed that the conspirators should seize on the gates, and admit a detachment of Austrian troops. Having accomplished this important point, they were to proceed against the republican party with the utmost severity, and finally to settle the constitution on a system most conducive to their own interests.

The day being fixed, and every precaution

\* Tschudi, V. Muller, II. i.

taken

taken to ensure success, the plot was discovered by one of those unforeseen accidents, which are attributed by the modern philosopher to the operations of chance, and by the Christian divine to the interposition of Providence. A tailor's boy, who lay sleeping under a table in the room where the conspirators held their nocturnal meetings, overheard their discourse. The youth was so alarmed at the danger, that he betrayed himself by the violence of his emotions; when it was proposed by one of the members to put him instantly to death, as the only security against a discovery. But, as it seldom happens that men are either good or bad in the extreme, the majority embraced an opposite determination. Were it not for the inconsistency of the human character, such an act of clemency would be unaccountable in persons, who were actually plotting the destruction of hundreds of their fellow-creatures. Happy to escape on a promise of silence, the boy ran immediately to his friends, and gave distant hints of being privy to an important secret, which he was forbidden to disclose. His whole conversation turned on seditious assemblies

CHAP. VII.

CHAP. blies and armed men, and by its mysterious  
 VII. terror attracted the attention of the whole  
 company. Their inquiries were redoubled,  
 and enough being collected to lead them to  
 the place of rendezvous, the house was sur-  
 rounded, and the greater part of the conspi-  
 rators surprised. A few however escaped,  
 who thought it prudent by voluntary exile  
 to withdraw from the effects of popular re-  
 sentment. Thus terminated a project which  
 threatened Lucerne with destruction, and  
 which had been conducted with so much pre-  
 caution that the enemies of liberty scarcely  
 entertained a doubt of its success\*.

All apprehensions of danger being now re-  
 moved, the triumphant party hastened to ac-  
 complish the object which they with justice  
 considered as their best security, by conclud-  
 ing a league with the three cantons of Uri,  
 Schwitz, and Unterwalden.

The perils and persecutions, to which they  
 had been exposed, appeared to the citizens of  
 Lucerne a complete justification of their con-  
 duct; and, indeed, it could be regarded in no

\* Tschudi. Muller, II. i.

other light by the impartial world. But con-  
 clusive as these reasons might seem to the  
 friends of freedom, it could not be expected  
 that they would operate on the mind of Otho  
 with equal force. *Opposition*, in the language  
 of a court, is synonymous with *rebellion*;  
 and there are few reigning families in Europe  
 who have carried their ideas of prerogative  
 to a higher pitch than the descendents of Ro-  
 dolphus. The defection of Lucerne called  
 for exemplary punishment, and orders were in  
 consequence issued to the hereditary pro-  
 vinces, to break off all commercial intercourse  
 with the rebels. They were directed at the  
 same time to keep the strictest watch that no  
 merchandise should pass, and to intercept and  
 confiscate goods of every kind which were  
 destined for the supply of Lucerne.

1333.

Hostilities immediately commenced, and  
 were carried on with every circumstance of  
 rigour which could give additional misery to  
 the calamities of war. The whole country  
 was laid waste to the very gates of Lucerne;  
 while the burghers, on their part, omitted no  
 opportunity of retaliating by predatory incur-  
 sions on the Austrian territory. Having one  
 day

CHAP. day passed the Reuss, and advanced incau-

VII. tiously into the enemy's country, the gover-

nor of Rothenberg took advantage of this imprudence to get between them and the river, when falling upon a small party who were encumbered with plunder, he put them all to the sword. Having obtained this success, he posted himself in so advantageous a position as apparently to preclude all possibility of a retreat. But nothing is too arduous for the active valour of a people, who are impressed less with the difficulty of an enterprise, than with the necessity of carrying it into execution. To cut a way through the hostile ranks was their only resource. The Austrian commander was attacked; and in a few minutes he fled, leaving the field of battle covered with the slain. Skirmishes like these would be unimportant in a common war, but here they display the determined characters of the founders of Helvetic liberty, and prove that no superiority of numbers can avail against the efforts of despair\*. Thus the popular party gained ground every day, while

\* Stettler.

every

every additional triumph gave animation to their cause, and taught them to look forward with increasing confidence to more important conquests. CHAP. VII.

Among the rugged cliffs of St. Gothard, not far from the source of the Reuss, lies the peaceful and romantic valley of Urseren. The complicated chain of feudal dependencies subjected this secluded spot to the Abbot of Dissentis; but the strictest ties of amity and reciprocal obligation had long united it with the gallant inhabitants at the northern foot of the mountain. The abbot, who neither as the head of a religious house, nor as the ally of Austria, could be suspected of partiality for the *new principles*, determined to break off all connection with a people who were the inveterate opponents of his favourite theory of passive obedience and divine right. A mandate was accordingly issued, prohibiting all further intercourse with the neighbouring provinces. Accustomed to consider those as their truest friends by whom they were furnished with the necessaries of life, the honest mountaineers regarded gratitude as the strongest of moral ties. Obedience

CHAP. dience to their superiors, indeed, they deemed

**VII.**

a positive, though an inferior obligation. An order therefore so repugnant to the precepts of Christianity, from the mouth of a man whose profession it was to inculcate charity, could not fail to create universal surprise. Thus inclination and duty for once combined, and decided the contest in favour of benevolence. Impressed with the highest ideas of civil and ecclesiastical authority, the abbot interpreted their disobedience into open rebellion, and collecting his vassals prepared to chastise the insurgents. A reinforcement, however, of two hundred men from the canton of Lucerne, compelled him to retreat with precipitation; and his ill-concerted expedition added another cohort to the friends of freedom\*.

The resolution and energy which had been displayed by the forest-cantons left the Austrian princes but little inclination to renew a contest, from the issue of which they had nothing prosperous to hope. Their resources, indeed, were now so much exhausted by unsuccessful wars, that every principle of

\* Tschudi, V.



policy recommended peace. Princes, it is true, CHAP. VII.  
are usually the last persons who are made acquainted with their own misconduct. But the voice of truth will ultimately penetrate the recesses of a palace. An empty treasury, a diminished army, and an impoverished state, were such convincing proofs of distress, that Otho could no longer deceive himself. His eyes were opened to the fallacy of the system which he had hitherto pursued ; and shuddering at the calamities which he had brought upon mankind, he resolved to exert himself in their reparation.

Many of the Austrian provinces had already concluded a truce with the forest-cantons for five years ; and this treaty had been sanctioned by their sovereign, who now appeared fully convinced of the impolicy of his former conduct. Circumstances soon afforded him an opportunity of giving to the world a striking proof of this pacific spirit. A fresh source of discontent having arisen between the subjects of Austria and the forest-cantons, Otho appealed to the emperor, declaring his intention of submitting implicitly to his decision. Having summoned the respective parties

CHAP. parties to appear before his throne, and pa-  
 VII. tiently listened to their various allegations,  
 Lewis appointed nine persons of acknowledged  
 integrity, chosen in equal numbers from Zurich,  
 Berne, and Bale, to act as mediators between  
 them\*.

The arbitration was productive of the de-  
 sired effect. By a particular convention with  
 Lucerne, it was stipulated that all pretensions  
 on both sides should lie dormant for the space  
 of three years, during which period the  
 Austrian money should retain it's currency,  
 and every thing be replaced on an amicable  
 footing, in conformity to ancient precedents.

The grounds of accommodation with Uri,  
 Schweitz, and Unterwalden, were in all re-  
 spects agreeable to former treaties; with this  
 single exception, that the emperor named  
 commissioners to examine into the validity of  
 the Austrian claims, which after the minutest  
 investigation he confirmed by a declaratory  
 act†.

The conduct of Lewis, during the whole of  
 this delicate business, does honour to his

\* Tschudi, V.

† Simler, Tschudi.

moderation and equity. For such was the CHAP. VII.  
 impartiality of his decision, that neither party  
 ventured openly to complain. This treaty  
 however, notwithstanding it's apparent fair-  
 ness, was productive of many important ad-  
 vantages to the citizens of Lucerne. Two  
 points were gained of the utmost consequence  
 to their future welfare. In the first place  
 they established a criterion by which the  
 pretensions of Austria might henceforth be  
 regulated with some tolerable degree of pre-  
 cision; and in the second, they obtained a  
 formal acknowledgment of their league with  
 the forest-cantons.

Meanwhile, amidst the turbulence of do-  
 mestic factions, both Zurich and Berne were  
 steadily pursuing a well-digested plan of  
 greatness. Incessantly occupied in defeating  
 the attempts of domestic traitors, and resist-  
 ing the more open attacks of their external  
 foes, they found in every succeeding contest  
 a fresh source of triumph, and generally an  
 important acquisition of territory.

But such, alas! is the destiny of human  
 affairs, that every step toward riches and re-  
 finement proves equally a step toward cor-  
 ruption

CHAP. ruption and decay. There can be little doubt

**VII.** that commercial enterprise is the most prolific parent of wealth, and the truest source of prosperity. But it is perhaps no paradox to assert, that a spirit of traffic may be pushed too far. Neither would it be impossible to show, that the human mind may be so exclusively engrossed in speculations of trade as to become indifferent to the preservation of liberty. In such a state of things every concern of life is reduced to calculation; and in the contingency of a struggle between wealth and freedom there is nothing surprising that among a nation of merchants the former should sometimes preponderate.

The enterprising spirit of the inhabitants of Zurich had produced a disparity of fortune\* totally incompatible with the interests of a small republic. The freedom of the ancient constitution began insensibly to vanish.

\* It is by no means the Author's intention to insinuate that a perfect equality of condition (the very supposition of which implies an absurdity) is necessary in a republic. He only contends, that in small commonwealths, such as those of Switzerland, any great disproportion of fortune is repugnant to the very principles by which they exist.

The

The members of the executive power continued their authority during life; though in its origin it was only annual, and conferred by suffrage. But lest so flagrant an usurpation should pass unnoticed, the senators affected an ostentatious dignity, highly offensive to their fellow citizens. It was known also, that the fortunes of many of the magistrates were inadequate to the expensive style in which they lived, and this circumstance created a strong suspicion of venality. With an indignant eye the people beheld this abuse of power; and a reform was loudly called for. Neither could a doubt be entertained that the people were prepared to rise the instant a proper leader could be found.

RODOLPH BRUN was a member of the executive government, but he had rendered himself obnoxious to his colleagues by a persevering opposition to their ambitious projects. With secret pleasure he observed the gradual progress of disaffection, and omitted no opportunity of recommending himself to his fellow citizens by the popularity of his measures, and the affability of his behaviour. His friends spoke, in all companies, of the responsibility

CHAP. sponsibility of magistrates; and hinted, that  
 VI. the present moment was particularly favourable for the correction of those abuses, which time invariably introduces into the most perfect plans of human polity. The state of the public treasury seemed also to demand the strictest scrutiny. Malversations had certainly been practised. The inquiry was necessary for the justification of the innocent; and by the guilty alone it could be opposed\*.

1335. Such doctrines were too congenial to prevailing opinions to be heard with indifference. A regular system of opposition took place. Brun became the idol of the disaffected; and an account was loudly called for. The ruling party, however, were by no means of a temper to yield. They had too long enjoyed the sweets of power to resign it with indifference. Every artifice was employed to divert the public attention to other objects. Bribes, menaces, caresses were lavishly dispensed. The vain, the weak, and the interested were variously assailed. But every attempt was unavailing. Experience and history alike evince the impossibility, when

\* Muller, II. ii.

the people are resolutely bent upon correcting abuses, of long resisting their determination.

CHAP. VII.

From representations and remonstrances they proceeded to more efficacious remedies ; and having collected before the senate-house in a numerous body, they insisted on the immediate dissolution of that corrupt assembly. Resistance now became impracticable. The most obnoxious members had no alternative left, but to save themselves by flight from the indignation of the mob, or to perish miserably by their hands ; while the more moderate, making a virtue of necessity, resigned their authority without a struggle, and returned to a private station.

A committee was immediately appointed to new-model the government. Arduous and important task ! yet greedily sought after by the vanity of man !\*

The whole proceedings were now laid before a general assembly ; and a new constitution

\* Our own observation must have taught us, that to *destroy* is an easy task, and within reach of the most common capacity ; whereas to *rebuild* requires a combination of talents, and an extent of views, which nature distributes with a sparing hand.

CHAP. was prepared, by which every order of citi-

VII.

zens was admitted to a share in the administration, though the Patrician families still retained the preponderance. The inhabitants were divided into thirteen *classes* or *companies*; each of which elected a *representative* or *master*, who together with an equal number chosen by the aristocracy were intrusted with the whole executive power. The legislative authority was vested in a council composed of twelve deputies from each company, and eighteen of the nobility, which with the members of the smaller council constituted  
1336. an assembly of two hundred persons. This new form of government, sanctioned by public approbation, was confirmed by the consent of the emperor in 1337\*.

Scarcely had the new magistrates taken possession of their respective functions, than the banished nobles, who now considered their case to be desperate, began secretly to cabal among their former friends and adherents†.

\* Tschudi, v. Biblioth. Helv.

† Five only of the most odious members of the old government had been condemned to perpetual exile. The rest were banished for limited periods. They were all, however, declared incapable of every public employment.

But



But the vigilance of the popular party dis-  
covered their intrigues, before they were ripe  
for execution, and established a temporary  
calm. The evil, however, was far from being  
eradicated; nor did the hostile faction long  
want support\*.

Though induced by interested motives to  
enter into a defensive league with Zurich, John  
count of Hapsburg could not sufficiently con-  
quer the prejudices of birth, to behold with  
satisfaction the prosperity of a city, so re-  
markable for its attachment to civil liberty.  
By embroiling his allies in a war he hoped to  
accelerate the completion of his ambitious pro-  
jects. With these views, which unfortunately  
for the happiness of mankind are usually the  
only ones attended to in political discussions,  
he not only received the exiles with open  
arms, but without any previous notice com-  
menced hostilities against the republic. This  
aggression was so unexpected, and the plan  
so judicious, that but for a fortunate com-  
bination of circumstances the most fatal con-  
sequences might have ensued.

Diethelm count of Toggenburg, with the

\* Muller, II. ii.

CHAP. design of renewing a claim which had long  
VII. existed as hereditary source of discord between his family and the house of Rapperswyl, at this time anxiously courted the friendship of all the neighbouring states. The situation of Zurich, as well as her known animosity toward the count of Hapsburg, made her alliance an object of infinite moment at the present crisis. Mutual interest, the only secure bond of union between state and state, gave rise to a mutual alliance. It was agreed, that the contracting parties should commence hostilities by a joint attack on the town of Rapperswyl. The attempt was immediately made, but the garrison being prepared for resistance, the assailants were compelled to retire. Foiled, but not discouraged, they laid siege to Grinau, a fortress situated on the lake of Zurich, where John had shut himself up with the firm resolution of defending it to the last extremity. Finding, however, that the advances of the enemy were slow and irregular, he took advantage of their supineness, attacked their quarters by night, and forced them to abandon their camp in confusion, leaving the count of Toggenburg a prisoner.

a prisoner. But no sooner had they recovered CHAP. VII.  
 from this momentary panic, than they felt all the ignominy of their flight, and resolved unanimously to redeem their honour by rescuing their general, or to perish in the attempt. The battle was, in consequence, renewed at the return of day. The allies rushed forward with dauntless courage, endeavouring to break the enemy's line, and to bring back Diethelm in triumph. Count John, on his part, was not less distinguished by personal prowess, than by his judicious conduct. He fell at the head of the cavalry, as he was rallying them for another charge. Deprived of their gallant leader, and dispirited by his loss, the troops fled in disorder. Diethelm was still a captive; and exposed to the fury of a licentious soldiery, goaded to madness by the death of their beloved commander. "Let us revenge our gallant leader!" was the general cry. In frantic tumult they rushed upon the defenceless warrior, and pierced him with a hundred swords\*.

A war conducted with such savage ferocity threatened the most fatal issue. But the

\* Bullinger, vii. Stumpf. vi.

Austrian

CHAP. Austrian princes continued firm in their  
VII. } pacific intentions, and exerted their powerful influence to induce the children of the deceased count to consent to a reconciliation with Zurich.

This project having received the concurrent support of the emperor, an accommodation was at length effected on reasonable terms. The Zurichers were persuaded to restore to the exiled nobles their sequestered property, upon receiving an indemnification for the expenses of the war. Hopes too were held out to them of some farther mitigation, provided they deserved it by their subsequent conduct.

While Zurich was thus contending in defence of her dearest rights, BERNE was struggling with still greater success against the hostile machinations of her jealous and implacable neighbours. But as the war with which she was threatened is one of the most memorable in Helvetic history, it may not be improper to take a retrospective view of the internal situation of that rising republic from the beginning of the fourteenth century. This inquiry will enable us to form a correct estimate

mate of the respective views of the contending parties. CHAP. VII.

We have already been made acquainted with the origin of Berne, as a free and imperial city, and have seen that it's primitive inhabitants were for the most part composed of people who sought an asylum against the persecutions of tyranny. Among these we may distinguish no inconsiderable proportion of noble families.

At the period which we are describing persons of illustrious descent had no occupation but arms. This warlike genius, which could with difficulty be directed to the pursuits of science or the speculations of commerce, was feverishly awake to every occasion which afforded the faintest promise of military glory. Whatever offended the pride, or counteracted the interests of the community, was seized with avidity, and magnified into a national insult.

The rapid progress of this flourishing republic excited the envy of the surrounding states. They beheld with jealousy the prosperity of a people whose happiness was the result of a government the very reverse of their own, and which reflected the severest  
censure

CHAP. censure upon their administration. Among  
VII. the enemies of civil liberty, it is invariably  
necessary to enumerate the princes of the  
house of Austria. As usual, they appeared at  
the head of the hostile phalanx; for having  
long regarded Switzerland as the destined  
prey of their ambition, every step toward  
it's emancipation was considered as an invasion  
of their eventual property. The citizens of  
Fribourg were animated with the same spirit,  
and were become the zealous advocates of  
despotism. They had ignominiously parted  
with their own independence. To these may  
be added all that despicable swarm of petty  
tyrants who infested the adjacent country.  
Distinguished solely by the violence of their  
passions, and the atrocity of their crimes,  
they had long insulted their fellow creatures  
with impunity, and might truly be pronounced  
the enemies of mankind.

Fortunately however for the prosperity of  
Berne, the hereditary quarrels, which dis-  
tracted the feudal despots, were far too vio-  
lent to allow them to unite with zeal in one  
common plan of attack. The spirit of ani-  
mosity, in this case, prevailed over the sug-  
gestions

gestions of interest; and a project proposed by one baron was not unfrequently on that very account rejected by another. From the beginning of the century likewise, the house of Austria had been occupied with more important objects, and had found constant employment without interfering in the internal politics of Berne.

Secure from apprehension on the part of that formidable enemy, the Berners experienced little difficulty in reducing the rest. Castle after castle fell into their hands, and was levelled with the ground. For in order to guard against every possible vicissitude of fortune, the prudent republicans resolved, if possible, to efface from the earth those odious receptacles of depredation\*.

We must not, however, imagine that this rapid progress in the career of glory was effected without foreign aid. A reciprocity of interests furnished the republic with powerful allies. Among these we may enumerate the duke of Savoy, the town of Soleure, and the forest-cantons. The former, indeed, both from extent of dominion, and internal re-

\* Stettler, I. Stumpf. VIII. Muller, II. iii.

CHAP. sources, was capable of affording the most effectual support. But the latter compensated for every deficiency by the energy of their exertions in the field, and their fidelity in observing their engagements. Part of the Valais, the bishop of Sion, with the towns of Morat, Bienne, and Laupen, took part also in the confederacy\*.

No means which policy could prescribe, or favourable contingencies afforded, were neglected by these wary republicans to extend the limits of their rising state. Exhausted by war, or embarrassed through want of economy, the neighbouring princes were often compelled to have recourse to the wealthy merchants of Berne. The prompt liberality, which they at all times experienced, rendered them less attentive to the motives from which this apparent benevolence arose. For, in truth, it was only apparent; and proceeded more from a refined spirit of political calcu-

\* The league with the Valais bears date in 1250. That with the house of Savoy was made in 1295, and renewed in 1330; with Laupen in 1304; with Biel in 1306; with Soleure in 1309 and 1351; with the forest-cantons in 1323; and with Morat in 1333. *Tschudi. Stettler.*



lation, than from hearts overflowing with **CHAP.**  
charity, and alive at the call of humanity. **VII.**

We conceive, indeed, that not a single instance is to be met with of assistance afforded by the prudent Berners to their indigent allies, except upon such security as rendered the default of payment a most desirable event. Neither were they ever backward in taking possession of the mortgaged territory whenever the conditions of the agreement would allow. They are supposed likewise to have been no strangers to that insidious policy, which is imputed by the Greek historians to Philip of Macedon; and are said to have owed their success to the weight of their purses, more frequently than to the edge of their swords.

In the year 1308 they obtained possession of Laupen as a pledge for fifteen hundred marks of silver, lent by them to the count of Strassberg\*. Some few years afterward the castle was likewise ceded to them by Peter of Thurn, as security for three thousand marks. In the same manner Arberg, Thun, and Burgdorf became successively the prey of this

\* 1320.

aspiring

CHAP. aspiring commonwealth, by the united influence of arms and of gold. So universally was

**VII.** this spirit of ambition diffused among all ranks of people, that funds were never wanting for the aggrandisement of the republic. And, if at any time the treasury was found inadequate to the purchase, the deficiency was speedily supplied by the donations of a people in whom the love of their country was paramount to every other consideration\*.

Fully sensible of the advantages which must accrue to the republic from this patriotic ardour, and anxious to keep alive a spirit, the parent of so many heroic deeds, the government invariably punished with extreme severity every action which tended either to diminish the credit, or to tarnish the reputation of the warlike nobles. This indeed sometimes led them to confound the interest of individuals with the honour of the state, and to revenge the quarrels, or to defend the private rights of their fellow-citizens with an

\* A very striking instance of this public spirit was displayed by the Berners in 1384, when they nobly consented to sacrifice a twentieth part of their property, in order to liquidate the heavy debt with which the republic was at that time aggrieved.

unjust.

unjust degree of violence \*. But the system CHAP. VII.  
 was farther beneficial to the commonwealth in another point of view; for by raising the privileges of the aristocracy it induced many of the surrounding barons, upon the first menace of hostilities, to submit to the republic, and to put themselves under her protection in quality of co-burghers, rather than risk the chances of war. Thus we find the lord of Senn, after the destruction of his castle, becoming a citizen of Berne. Thus likewise ended a long and bloody contest with the house of Weissenberg, when the prudent chief in token of submission had suspended the keys of his fortress in the market-place of his foes. The community of Hasli, over which the Weissenberg family had long presided, soon followed the example of their leader, and yielded to the authority of

\* In 1331 Hans Senno, a distinguished knight, having killed the curate of Diesbach, the republic, instead of punishing the offender, immediately laid siege to the town of Diesbach, under pretence that the friends of the deceased had rejected all overtures toward an accommodation; a strange excuse for an unjust action! But such excuses ambition is never at a loss to find.

VOL. I,

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a people

CHAP. a people by whom they had been frequently  
 VII. protected against the tyranny of an oppressive  
 master\*.

A career of prosperity so uninterrupted gave such animation to the national character that the Berners no longer regarded any enterprise as too arduous to be attempted ; but marched to battle with a confidence and intrepidity which ensured success. To storm a castle was considered as an amusement, in which the young nobility contended with noble ambition ; imbibing a passion for martial deeds, as the heroes of Greece were trained to glory in the Isthmian or Olympic games.

Military exploits, by their splendor, command the admiration of mankind, and scarcely leave the mind free to examine the motives whence they spring. Yet, in fact, this constitutes their characteristic merit. It is the justice of the cause alone which can sanction war. The people who fight for their religion, their liberty, and their laws, are fulfilling a sacred duty. While the mercenary host that moves to battle, allured by plunder, or by

\* Stettler, II. Tschudi, V.

pay,

pay, differs but little from the professional assassin. The Decii devoting themselves for the salvation of their country, however strange such an action might appear in a modern general, will for ever command the plaudits of the generous and the brave; while the chimerical enterprises of Alexander, or Charles XII. may excite the astonishment of the vulgar, but can never interest the sensibility of the more enlightened.

Whatever may be our sentiments with respect to the policy of Berne, it was scarcely possible for the neighbouring princes to contemplate this spirit of aggrandisement with an eye of indifference. Without some effectual exertion their ruin appeared inevitable. No alternative was left them but to fall successively a prey to this aspiring republic, or by a general combination to check her career. A league was in consequence formed between the neighbouring barons, into which many of the circumjacent cities were induced to enter, either from the detestable suggestions of envy, or the base dictates of fear. This confederacy was strenuously supported by the house of Austria, and received the secret

Z 2

countenance

countenance of the emperor himself. But such was the idea which universally prevailed respecting the courage and power of Berne, that her enemies did not think it advisable to throw aside the mask, till from the extent and nature of their preparations they considered her destruction as inevitable.

Her situation became every day more critical. She saw the tempest gathering in every quarter, and resolved to meet it with unshaken firmness. It is with pleasure that we contemplate her conduct at this trying moment. The welfare of thousands depended upon the issue; for had her enemies prevailed, the Helvetic confederacy must have fallen to the ground, and the happiest asylum of civil liberty must have been for ever blotted from the earth.

1338. As the emperor has been named among the patrons of the hostile league, it may be necessary to explain the motives which produced this sudden alteration in his political sentiments, as we have hitherto beheld him upon every occasion manifesting a strong predilection for the free inhabitants of Helvetia.

Superstition,

Superstition, which is the distinctive CHAP. failing of an unenlightened age, formed a pro- VII. minent feature in the character of the Berners.

No sooner had Lewis incurred the censures of the Romish see, than they shuddered at the idea of continuing their intercourse with an excommunicated prince. It is possible also that their minds might not be so entirely engrossed by religious scruples, as to be insensible to the suggestions of worldly interest. The moment might appear favourable to efface every vestige of dependence on the imperial throne. Deviating from their wonted prudence, they may not have duly weighed the advantage to be derived from imperial protection in every contest with the house of Austria. The defection of his ancient allies, at so critical a moment, carried with it an appearance of ingratitude which it was by no means easy to overlook. The generous heart of Lewis was fully sensible of the injury. He had formerly admired the Helvetic nations as the friends of freedom; he henceforth despised them as the slaves of interest\*.

The

\* Though it is far from our intention to enter minutely into the history of Germany, which would carry

CHAP. The town of Nidau being appointed for  
 VII. the assembly of the confederate princes, the  
 enemies of Berne poured in from every side. Various were their motives of complaint, but unanimous was the resolution of revenging the common wrongs. At the head of the league stood Everard of Kyburg, a man of enterprising ambition, but rash, irresolute, and incapable of pursuing the best-digested plans with the perseverance necessary to ensure success. His history is variously related;

us into too wide a field, yet having been led by the chain of events to notice the animosity subsisting between the Pope and Lewis, it may not be foreign to the subject to remark the difference which two centuries and a half had produced in the opinions of mankind. Not all the splendid qualities of Henry IV. could enable him to struggle successfully against the presumptuous insolence of an ambitious monk. But in the year 1338, after Lewis had made a last ineffectual effort to appease the resentment of Benedict XII. he assembled a diet at Frankfort, in which it was declared a standing law of the empire, that the person chosen by a majority of the electors to be king of the Romans was entirely independent of the papal see; and that neither the consent, nor confirmation, of the sovereign pontiff were in the least necessary for the legal exercise of his authority. It was at the same time enacted to be high treason to maintain that the pope had a right to depose the emperor. See Schmidt, VIII. vii.

but



but it appears from the best authorities, CHAP. VII. that having murdered his elder brother in a domestic quarrel, he took possession of the principality of Thun. An alliance with the commonwealth of Berne appearing at that time the most probable means of giving stability to his usurpation, he requested to become a co-burgher of the rising state. Some pecuniary aid was, likewise, administered. In return for which he engaged the city of Thun, with all its dependencies, to his new allies. But having at length established his authority on a solid basis, and being desirous of recovering the family-domain without refunding the money for which it was mortgaged, he renounced all connection with the republic, and placed himself at the head of the hostile confederacy\*.

Rudolph of Nidau and Lewis of Neuchâtel alleged, that the Berners had given an asylum to many of their rebellious subjects, and had even admitted them to the freedom of their city.

Peter, count of Gruyeres, complained of the non-payment of a debt due to him from

\* Stettler, ii. Tschüdi, v.

the lord of Weissenberg, who proud of his degradation (for such it was termed by his enemies) treated all his applications with neglect. Neither had the repeated remonstrances, which he had made to the republic, been productive of any redress.

Influenced by a servile complaisance for the confederated barons, even Friburg engaged in the league; demanding the immediate restitution of the castle of Laupen, which had been assigned to them by an imperial decree, but which in defiance of that award the Berners persisted to retain. In a word, so precarious was the situation of Berne, that all her rivals were anxious to seize the opportunity of humbling her pride, and setting bounds to her increasing power\*.

No sooner had the assembled princes presented a statement of their respective grievances, than it was unanimously voted, that the existence of Berne was incompatible with the security of the neighbouring states; since it was clearly her object to destroy all the prerogatives of the nobility, and to reduce them to the degrading condition of vassals.

\* Müller, II. iii.

Under these alarming circumstances, nothing less than their most intimate union could counteract this dangerous project, and support the cause of aristocracy against such daring and artful attacks. In consequence of this declaration the alliance was confirmed by a solemn oath; and mutually pledging themselves to persevere in the contest till the destruction of the common enemy was accomplished, the confederates appointed Gerard of Valengin to the command. CHAP. VII.

So powerful a coalition could not fail to spread universal consternation among the citizens of Berne. Nor could they reflect on the vast disparity of forces, without trembling for the event of a contest, in which every thing was at stake that is nearest and dearest to the heart of man. Yet far from yielding to the dictates of despair, they resolved to persist to the last extremity, and rather to bury themselves under the ruins of their fortifications, than condescend to terms derogatory from their honour, or inconsistent with their liberty. Determined however to omit no opportunity of diverting the storm, they had recourse to negotiation, hoping by partial condescensions to

CHAP. to disunite the allies. To the emperor they

**VII.** gave the most unequivocal assurances of fidelity and attachment; promising to reinstate him in all his just prerogatives the moment that he was reconciled to the church. The counts of Kyburg, Nidau, and Gruyeres received offers of ample indemnity; although the demands of the second were by no means reconcileable with their ancient privileges. But to the Friburgers they applied in the tender language of friendship, representing to them in lively colours the imprudence of their present conduct. As a free state, they were bound (they said) by every principle of sound policy to embark in the same cause with themselves, instead of paving the way for their own subjugation, by imprudently supporting the dangerous views of an oppressive aristocracy\*.

Not satisfied with these partial applications, they published a manifesto in justification of their actions; in which they endeavoured, by the most plausible arguments, to screen themselves from the imputation of ambition. They called God and the world to bear witness to the integrity of their hearts, and the equity of

\* Muller, II. iii.

their

their proceedings; asserting, that they had never been the aggressors in any former war, but had invariably taken up arms in vindication of those rights which nature and reason taught them to revere. They concluded by affirming, that though nothing was more remote from their wishes than to disturb the repose of Helvetia, they were resolved to defend their independence against every aggression, and to cease to exist when they ceased to be free.

It was hardly possible to expect that prudence and moderation would be productive of the most trifling benefit. Confederacies like that which was formed for the destruction of Berne have usually objects in view very different from that of redressing grievances.

When an attack is once prepared it is not the cry of humanity, nor the voice of truth, which will retard the march of the belligerent armies. On the contrary, every instance of forbearance on the side of the less powerful party is regarded as an indication of weakness, and operates rather as a temptation to accelerate, than as an inducement to suspend, the blow.

Such

CHAP. Such were the present sentiments of the  
 VII. allies, in which they were still further encouraged by the interested insinuations of Austria. These overtures of peace were of course rejected with disdain.

1339. The senate of Berne now prepared with energy for war. The council being assembled under the presidency of John of Bubenbergh, came to the following resolution; *That having done every thing for the maintenance of peace, which was consistent with the character of a free people, nothing remained but to oppose force to force\**.

The next step which they took was to reinforce the garrison of Laupen with six hundred men, as it was probable that the confederates would open the campaign by the siege of that important place. A decree was also passed, that every family comprehending two males capable of bearing arms should send one of them to the camp. Sensible that the first events of a war are frequently regarded by the credulous as predictive of its final success, they resolved by the boldness of their measures to astonish

\* Muller, II. iii.

the enemy. A fruitless attempt was, in consequence, made to surprise the town of Aberg. The rapid progress of the foe precluded the possibility of a regular siege; and the garrison being stronger than was expected, they were constrained, after laying waste the open country, to hasten to the defence of their own walls.

Meanwhile the energy of the people fully corresponded with the resolution of their leaders. Confident in their own exertions, the disparity of numbers was no longer thought of. They recollected nothing but their ancient triumphs.

One point, however, of the greatest importance still remained unsettled. Officers of experience and courage were not wanting for subordinate commands; but where was the man to whom his country could confide the important charge of presiding over her defence, or who felt himself equal to the arduous task. At a moment like this the vanity of rank was forgotten. Men regarded neither the emoluments nor the influence of office; the responsibility, with which it is attended, was the only object of consideration.

CHAP. deration. Every one was ready to fly to  
VII. the post of danger; but the direction of the  
war, under such trying circumstances, required a combination of talents, from which the boldest shrunk with conscious inability. During the discussion of this momentous question, as if conducted by the intervention of a protecting Providence, RUDOLPH OF ERLACH entered the city. He was a knight of distinguished reputation, and the eldest son of that heroic chief, under whose auspices the republican arms had formerly triumphed. Though the recollection of his father's services, added to his own personal merit, would have raised him to posts of the highest eminence, he usually resided at Nidau, where he possessed a considerable fief. But no sooner was his country in danger, than he flew to her assistance with the ardour of a man, who feels that the dearest duties are those of patriotism. Yet apprehensive, however, that a step so repugnant to the prejudices of aristocracy might admit of an unfavourable construction, or unwilling perhaps to forfeit his estate (if it be allowable to suspect a patriot of being



being influenced by worldly motives) he presented himself before the count of Nidau, requesting permission to serve in the armies of Berne. The count readily consented, proudly observing that, "in a host, like his, the absence of one man was immaterial." Erlach withdrew, replying with conscious dignity; "I hope, at least, to prove that I am a man \*."

Erlach no sooner appeared before the senate than he received an offer of the supreme command. To this flattering mark of public confidence he replied, with that candour which is the inseparable companion of real merit, in nearly the following words:

*"No one, my valiant countrymen, can feel more grateful than I do for the honour which you intend me, or can estimate more highly the importance of such a trust. I am no stranger to the inferiority of your forces, but I am acquainted also with your courage, and knowing that, can I despair of success? Yet before I undertake the weighty charge, I must be assured of the most implicit deference to all my commands ;*

\* Muller, II. iii.

*"for*

CHAP. "for it is no less to the exactness of our discipline, than to the vigour of our measures, VII. "that we must look for victory\*."

The acclamations of the admiring crowd testified the general assent. Being now invested with absolute power like the dictators of Rome, and having received an oath of submission from his companions in arms, he inquired, "*When they would march?*" The reply was, "*To-morrow,*" "*How shall we fight?*" was his next question: they answered, "*To the last man†.*" Nothing remained but to hasten to the relief of Laupen, which had hitherto been defended with obstinate courage by the gallant Bubenbergh. In vain the confederates had selected their bravest troops for the assault; the garrison repelled their attacks with a degree of resolution which precluded every hope of taking it by storm. The siege was, therefore, converted into a blockade. Confident that every attempt to introduce supplies must prove abortive, they already regarded the fortress as their own. Meanwhile, deputies were despatched by the senate

\* Muller, II. iii.

† May, II. vii.

into all the neighbouring cantons, to solicit CHAP. succours from the friends of freedom. But VII. such was the terror which accompanied the march of the allies, that their applications were in general received with cold neglect; and to forbear engaging in the hostile bands was regarded as the utmost term to which political friendship could extend. The forest-cantons, however, were not so easily appalled. Ever awake at the call of liberty they immediately ordered nine hundred of their bravest warriors to the assistance of their distressed ally\*. Soleure, likewise, sent eighty horse. Her own precarious destiny left no more at her disposal; while the count of Weissenberg led six hundred in person. These, added to about four thousand natives, composed the whole of Erlach's force. The allied army consisted of little less than thirty thousand men, commanded by Gerard of Valangin, as imperial prefect, and Rudolph of Nidau, the Austrian general. Under these served Peter of Arberg, Lewis of Neuchâtel, Peter of Gruyeres, with a variety of knights and barons from Alsace, Helvetia, Suabia, and

\* Justinger, Muller, May.

CHAP. Burgundy. As yet, the count of Kyburg  
 VII. had not joined the confederates, being occupied in arming his numerous dependents in Alsace, where he possessed extensive influence. On the eve before the battle, John count of Savoy arrived in the camp of the allies, attended by a hundred knights. He was sent by his aged father with offers of mediation: but the young nobility were too much elated by their hopes to listen to his proposals. On the contrary they persuaded the ill-fated youth to exchange the olive-branch for the sword, that he might share with them in the glories of the anticipated victory\*.

On the 21st of June, at the dawn of day, the army marched out of the gates of Berne. Baselwind, a priest scarcely less respected for his advanced age than for the evangelic purity of his manners, led the way, bearing in his uplifted hands the consecrated host. The ramparts were crowded with the fathers, wives, and children of those, to whom the salvation of the country was committed. They viewed them, in imagination for the

\* Stettler, Tschudi, Tschärner.

last time, as they ascended the hill, and CHAP. VII.  
 gazed with the tenderest emotions, till in-  
 tervening woods obscured their progress.  
 Meanwhile, the assembled senate waited in  
 anxious expectation for the return of messen-  
 gers from the field of battle; prepared under  
 every emergency to provide for the exigen-  
 cies of the state; and the wives and mothers,  
 prostrate before the altars, implored the pro-  
 tection of their patronising saint for those,  
 whom love and duty rendered the objects of  
 their dear affections.

About noon, the republican army took post  
 on an eminence, at a small distance from  
 the town of Laupen. Here Erlach refreshed  
 his troops. Nothing material occurred dur-  
 ing the remainder of the day. It passed in  
 awful expectation on the side of the Ber-  
 ners; in exultation and insult on that of  
 the confederates; while knights from both  
 armies occasionally provoked each other to  
 combats, which served to display the skill  
 and prowess of individuals, without procuring  
 any advantage to either party. Toward  
 evening the battle began. Conscious of  
 the great superiority of the enemy in tactics,

CHAP. as well as in numbers, Erlach had recourse  
 VII. to that mode of attack, which in modern  
 times has rendered the scientific display of  
 military evolutions less an object of utility  
 than of parade. It was his plan to fight, and  
 not to manœuvre. The men from the forest-  
 cantons were, at their particular request,  
 opposed to the Austrian cavalry. It was  
 the post of danger, and due to their active  
 zeal.

As he led them to the charge, Erlach ad-  
 dressed his troops in a short but animated  
 speech, well calculated to awaken courage  
 in the coldest bosom. But weak was the  
 force of eloquence when compared with that  
 of example. He marched undaunted at their  
 head, he showed them the road to glory;  
 and dastardly must have been the soul of  
 that follower who under such a leader shrunk  
 from danger\*.

A select troop, composed entirely of the  
 citizens of Berne, began the attack, by dis-  
 charging three volleys of stones. The shock  
 was violent, Unable to maintain their ground,

\* Simler, Tschudi.

the

the enemy fell back ; when, instead of pursuing his advantage, Erlach commanded this body by a rapid movement to take possession of an eminence, which the foe had improvidently neglected to occupy. Nothing could now be more auspicious than the position of the Berners. But so precarious is the chance of war, that the very circumstance, which according to the most probable combination of events ought to have decided the fortune of the day in their favour, had nearly proved their ruin. Mistaking, through inexperience, the motive of their general's conduct, the rear of the army conceived that the first line had been repulsed, and were retiring from the field. Panic-struck at the sight, they thought it time to provide for their own safety, and fled with precipitation to the adjacent woods. The alarm spread with dangerous rapidity, and utter confusion must unavoidably have ensued, had not Erlach instantly perceived the peril, and provided against it with that celerity of decision which is the characteristic of real genius. With a presence of mind, which would have done honour to the

CHAP. most celebrated hero of antiquity, he rode  
 VII. through the ranks, and pointing to the fugitives, exclaimed in a tone of exultation, "The day's our own! Our triumph is secure! For there is no longer one coward left among us." With these words he seized the banner of the state, and followed by his chosen troop rushed on the foe with an impetuosity which nothing could withstand\*. In a few minutes the allies were thrown into complete disorder. The fight was no where supported with obstinacy, except by small parties, which rallying around their respective standards continued to defend them with desperate resolution†.

During this sharp contest the forest-cantons were engaged in doubtful combat with the Austrian cavalry. The conflict was supported on both sides with the intrepidity of men who knew no alternative between death and victory. The scale still hung in anxious suspense, when a party of their friends re-

\* Some authors, and Tschudi among the number, pretend that the Berners made use of iron chariots, to break the ranks of the enemy.

† May, II. viii.



turning from the pursuit poured down, like a torrent, from the adjacent heights, and took the enemy in flank. Exhausted by the fatigues of the day, their resistance was feeble. In an instant the field was covered with the carcasses of the slain. Horses and horsemen lay scattered in promiscuous ruin. No hope was left except in flight, and the activity of the conquerors rendered even that precarious. With respect to the numbers which perished in this decisive battle writers as usual differ. By the Swiss historians they have undoubtedly been exaggerated, and their own loss proportionably diminished. But, even according to the most moderate computation, the blow was fatal, and purchased with the sacrifice of but little blood\*.

On the part of the confederates the two commanders were slain, with eighty knights of illustrious families†; among whom was included the unfortunate heir of the house

\* Muller, II. iii.

† Contemporary writers say 'eighty crowned helmets,' which were the distinctive characteristics of illustrious birth. Their whole loss is computed at between three and four thousand,

CHAP. of Savoy. His disconsolate father, to speak  
VII. in the episodic style of Homer, was now left  
childless, the victim of his benign intentions. Peter, Count of Nidau (for it was Rodolph, who fell) fled from the field of battle, after plundering the camp, with the defence of which he had been intrusted. At Arberg he met the count of Kyburg hastening to join the army, at the head of four thousand vassals. Nidau had no excuse to make for his own dastardly behaviour, except by representing the situation of the allies as altogether hopeless; and so exaggerated was his description of the impending danger, that his friend was persuaded to regain Alsace, convinced that by advancing he should conduct his troops to inevitable destruction, without affording material succour to his friends.

The transport manifested by the brave garrison of Laupen, at the unexpected appearance of their victorious countrymen, is more easily conceived than described. During the whole of the day they observed an unusual movement in the camp of the besiegers, but were entirely ignorant of its cause,

cause, till their deliverance was announced to them from the mouths of the conquerors themselves \*. Having offered thanks upon the field of battle to Him in whose hand is victory, and performed the last sad offices to the gallant dead, the conquerors marched back in triumph to their native homes, decorated with the shields and helmets of the vanquished foe, and bearing in artless pomp twenty-seven standards, the well-earned trophies of their success. To paint the effusions of transport which greeted their return exceeds the powers of language. They alone, who have experienced the bliss of receiving a son or husband, from the arduous duties of a military station, can form an adequate idea of the affecting scene. The day of this important triumph was consecrated by a solemn festival to the latest posterity †.

\* The situation of Laupen, which was separated from the field of battle by a hill, explains this circumstance in a satisfactory manner. May, II. viii.

† Muller, III. iii.

## CHAP. VIII.

*Frederic of Austria — Friburgers — Death of Erlach — Albert of Austria — Death of the Emperor Lewis — Charles IV. succeeds — Plague — Attempt upon Zurich — Zurich joins the Confederacy — War with Austria — Siege of Zurich — Duplicity of Queen Agnes — Hostilities renewed — Glaris accedes to the Confederacy — Dastardly Conduct of Brun — Zug — Renewal of the War against Zurich — Truce.*

CHAP. **T**HE conduct of the Berners on this  
 VIII. memorable occasion was dictated by the  
 soundest policy. The moment was propitious for the accomplishment of their design. They felt the advantages of their situation, and wisely resolved to pursue them. The baron of Burgendorf had shown himself one of the most active supporters of the hostile league. He was, in consequence, selected by the gallant republicans as the first victim  
 of

of their resentment. A detachment was sent to invest his castle, which surrendered immediately upon the death of it's owner, who was killed by an arrow at the beginning of the siege. Various predatory incursions were successively made upon the territories of Burgdorf and Nidau, their haughty lords having deservedly incurred the displeasure of Berne, by attempting to intercept the provisions destined for her markets. So prevalent indeed was this system among the baffled adherents of aristocracy, that she found it requisite to send out flying parties to scour the country, in order to keep open the communication with the vallies of Unterwalden, whence chiefly were drawn her supplies.

The ensuing campaign was opened, on the side of Berne, by a successful attack on the town of Hutwil, a place of consequence belonging to the Kyburg family. From the terror excited by their triumphant arms, little opposition was made to their progress. Friburg first recovered from the universal panic. Frederic of Austria, with that part of his father's dominions which lay contiguous to Switzerland,

CHAP.  
VIII.

CHAP. Switzerland, inherited that extreme hatred

VIII. toward every republican constitution, which  
has invariably characterised his entire family.

Unwilling as yet to take a decided part against the confederated cantons, he confined himself to surreptitious attacks; permitting his vassals to enlist under every banner that was displayed against the cause of freedom. Actuated by such motives, he could not but observe the conduct of the Friburgers with secret satisfaction; and, lest the dormant flame should expire from want of aliment, he cherished it with positive assurances of his powerful interference. Meanwhile his subjects flocked to the defence of the city, in case it should be attacked; and by their martial ardour inspired such animation into their new allies, that they at length took courage to venture without their ramparts. During one of these excursions, they fell in with a small detachment from the garrison of Laupen, when an encounter took place, in which twenty-two of the Berners were left dead on the field. Elevated with this temporary success, the Friburgers returned in triumph: but the hour of retribution was

was at hand. Erlach prepared to revenge CHAP.  
the affront; and having completed the neces- VIII.  
sary preparations, left Berne, with a select  
body of troops, at the close of day. Finding  
himself, at sun-rise, within sight of Friburg,  
he placed his infantry in ambuscade in the  
adjacent woods, and advanced with his cavalry  
close to the ramparts, laying waste the farms  
and carrying away the cattle. The Austrian  
commander took fire at the insult, and called  
the garrison to arms. A sally was resolved on,  
and the gates being suddenly thrown open,  
they issued forth. The Berners retreated in  
apparent disorder, leaving a few stragglers be-  
hind. Hurried forward by their impetuosity,  
the Friburgers pursued with intemperate ar-  
dour, till having drawn them to the spot where  
his infantry lay concealed, Erlach gave the  
appointed signal by a flourish with his sword.  
The Berners appeared, and in their turn  
became the assailants. Unprepared for re-  
sistance, the enemy was struck with dismay.  
Their retreat was cut off. No quarter was  
given. Seven hundred fell upon the field of  
battle. Others perished in attempting to pass  
the bridge, or before the gates, which in the  
general

CHAP. general confusion were shut against the fugi-  
 VIII. tives. Erlach's vengeance was complete, and  
 he once more entered Berne amid the acclamations of his applauding countrymen \*. Such was the last public act of this extraordinary man; for he now retired from all official situations, to pass the remainder of his days in honourable repose. Henceforth declining all civil employments, he dedicated his time to rural sports and agricultural improvements. If ever in the sequel he took up arms, it was only in the quality of a private knight; for he never again appeared at the head of an army.

We have hitherto admired Erlach in the character of a warrior alone. To the integrity of his private conduct the confidence of his enemies bears honourable testimony. Rudolph of Nidau, who fell at the battle of Laupen, left two sons, both minors at the time of his death. Amidst the tumult of war the choice of a proper guardian for the infant princes was an object of the highest concern. The house of Neuchâtel,

Stettler, II. May, II. ix.

which



which they were nearly allied, was unequal CHAP. VIII.  
to the arduous task. To commit them to the  
care of a foreign prince, in an age when justice  
was not always the concomitant of power, was  
an experiment too dangerous to be tried. In this  
dilemma, the name of Erlach presented itself  
to the imagination, with all its splendid ac-  
companiments of military talents and social  
virtues. Unanimous approbation crowned the  
proposal; and, overtures being made through  
the bishop of Bâle, he was at length pre-  
vailed upon to undertake the sacred charge.  
That the leader of the hostile bands should  
have been selected as guardian to the chil-  
dren of one, whom he had slain in battle,  
is an event unparalleled in the annals of hu-  
man virtue; and confers a reputation of in-  
tegrity, to which perhaps, among the heroes  
of antiquity, Aristides alone attained. Few  
men ever enjoyed a fairer prospect of closing  
their eyes in peace. But a monster existed in  
his own family, in whose savage breast neither  
the venerable character of the aged warrior,  
nor all the softer train of domestic charities  
were capable of exciting a sentiment of re-  
spect. This monster was the husband of his  
daughter,

CHAP. daughter. John of Rudentz being on a visit  
 VIII. to his father-in-law, some dispute accidentally  
 arose about the payment of the marriage-portion; and the arguments on both sides being supported with unbecoming warmth, the savage at length seized a sword, and plunged it into Erlach's bosom \*. It was the very sword which had been so often drawn in defence of his country, and which the hoary chief preserved with religious veneration, as a trophy of his youthful prowess. The wound was fatal. The assassin fled; pursued, like Cain, by the hatred and execrations of mankind, wherever patriotism was an object of admiration, valour of applause, or age of respect. His fate is, however, uncertain. It appears indeed from existing documents, that he did not long survive this atrocious deed, as we find mention made of his wife Margareta under the character of a widow. We are also farther informed, that the tidings of this melancholy event no sooner reached Berne, than the impression of horror became universal. Actuated by one common impulse, the

\* This melancholy event took place in 1360.

indignant

indignant populace set out in search of the CHAP. parricide, who had embrued his hands in the blood of their common parent. But whether he fell by the sword of avenging friendship, or paid the forfeit of his crimes to public justice, is a problem, which it is impossible now to resolve\*.

The severe losses sustained by the Friburgers reduced their strength to such a degree, that their adversaries at length entertained serious hopes of getting possession of the town. In a few days after the last battle they presented themselves before it with a formidable force, burned the suburbs, and set fire to a bridge which communicated with the city, the greater part of which was built of wood. The flames spread with an alarming rapidity, and the destruction of the city appeared inevitable. But by the spirited exertions of the citizens, the flames were extinguished, and Friburg saved. Frustrated in this design, the Berners contented themselves with laying waste the open country, and carrying off what in those days of sim-

\* Muller, II. iii.

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B B

plicity

CHAP. plicity was deemed a valuable booty. These  
**VIII.** predatory incursions were directed on every  
side with indiscriminate fury. Whoever incurred the suspicion of having favoured the league was selected for exemplary chastisement. The barons were insulted in their castles. Too weak to venture beyond the walls, or to afford the smallest assistance to their pillaged dependents, they experienced the bitterest humiliation which a haughty aristocracy can undergo, the insults of plebeian pride. Neither was external aggression the only evil with which they were threatened; for no sooner were these petty tyrants seen timidly shrinking within their ramparts, than their vassals ceased to consider them as the delegates of divinity. The charm was broken; and respect was converted to contempt, when they discovered that the idol which they so long had worshipped was formed only of clay like themselves.

Though secluded from the world in the convent which she founded at Königsfelden, and apparently indifferent to all terrestrial pursuits, the pious Agnes still beheld the progress of Berne with a jealous eye, and trembled

trembled in secret for the glory of her family. CHAP. For it was now evident, that the projects of VIII. that aspiring republic were no longer confined to defensive operations, but that her ambition expanded with her power. Besides, the house of Austria was so completely exhausted by her warlike exertions that nothing but permanent peace could heal the wound. Concealing, therefore, her ambitious projects under the cloke of devotion and humanity, she now came forward like an intervening angel, to mediate for the happiness of mankind\*. By her interposition an armistice was concluded between Berne and Friburg for the limited period of seven weeks; in hopes that, during that short interval of repose, some effectual steps might be taken toward a general pacification.

The flames of war were, however, far from being extinguished by this partial suspension of hostilities. Most of the Helvetic states indeed were either actually in the field, or preparing by new alliances for the approaching campaign.

\* Stettler.

B B 2

Meanwhile

CHAP. VIII. Meanwhile Agnes was indefatigable in her endeavours for the re-establishment of peace.

All the influence, which age and misfortune combining with elevated rank and ostentatious piety were calculated to inspire, was employed with such active zeal, that a congress was at length appointed to meet, in which, all parties showing an equal desire of reconciliation; a peace was speedily effected. The ancient alliance between Berne and Friburg was renewed. Favourable conditions were granted to the young counts of Nidau, in consideration of Erlach's services; and the treaty between Soleure and Berne, which had hitherto been limited to a short period, was rendered perpetual\*.

Scarcely, however, had the widowed queen succeeded in her attempt, than an event took place which again obscured the political horizon. By the untimely death of Frederic and Leopold the whole of the Austrian dominions were once more united in the person of Albert†.

\* Stettler. May, II. ix.

† Tschudi, V. May, II. x.

The election of a chief to the vacant empire seemed to threaten Europe with fresh convulsions. The death of Lewis, in all probability, delivered his country from the most dreadful calamities; as a party was already formed to overturn his government, which could only have been quelled by a civil war\*.

Charles, king of Bohemia, was opposed by the papal faction to the deceased emperor, having been elected king of the Romans during the life of his predecessor†. This dignity, indeed, was purchased by the most humiliating concessions to the see of Rome. Neither were the electoral votes exempt from a suspicion of venality. Charles was the son of that venerable monarch who fell at the battle of Crécy, and had been educated at the court of France, where he distinguished himself by his personal accomplishments and military talents. But the means which were employed to promote his election, joined to his political attachments, rendered him so unpopular that a violent opposition took place upon the death of Lewis, notwithstanding

\* Schmidt, VIII. vii.

† May, II. x.

**CHAP.** the high dignity which he had previously  
**VIII.** obtained. A diet was in consequence held at  
Cologne, when the imperial crown was tendered to Edward III. king of England, who was at that time in the full career of his victories against the house of Valois, and was by far the most illustrious prince in Christendom. Edward is said to have been dazzled by the brilliancy of the offer, and to have requested time for reflection. Meanwhile, he sent the earl of Northampton to examine into the real situation of Germany. But his report proving unsatisfactory, he declined the perilous appointment. No encomiums which we can bestow upon the memory of this great man can give additional splendor to his name. But we cannot refrain from observing that it is no common thing in a prince, by nature ambitious and fond of war, to reject a situation affording so fair an opportunity of humbling an hereditary rival. It is an instance of prudence seldom to be met with in the character of a hero. Disappointed in their expectations of opposing so formidable a competitor to the Bohemian monarch, the electors had recourse to many of the German princes.



princes. But those who from their inherited strength might most reasonably have indulged a hope of supporting the glittering burden with reputation, unanimously refused to engage in so hazardous a contest ; while those of inferior rank shrunk with conscious inability from the undertaking. Thus, from want of a rival, Charles found himself quietly seated upon the imperial throne\*. The history of the Helvetic confederacy is so closely connected with that of the German empire, that we have thought it necessary to enter into the foregoing details ; though the event which they record was productive of no immediate change in the destiny of Switzerland.

But an evil of another nature, and far more destructive in it's consequences than even the scourge of war, threatened not only Switzerland, but every part of Europe with devastation. After a series of earthquakes, more tremendous than any which this favoured quarter of the globe had been previously doomed to experience, a most destructive pestilence spread it's ravages from the shores

\* Schmidt, Geschichte der Deutschen, VIII. viii.

CHAP. of the Mediterranean to the banks of the Elbe;

VIII. This virulent malady is described by Boccaccio, himself a spectator of it's desolating rapidity, in those vivid colours which form the characteristic beauty of his writings. To him we must refer the inquisitive reader for a more minute detail, confining ourselves entirely to it's effects on the population of Helvetia. In Bâle alone upward of twelve thousand persons are said to have perished in a few weeks ; and by it's entire operation one third of the inhabitants of Switzerland are supposed to have been swept away\*.

A calamity, like this, was peculiarly calculated to produce the most opposite sensations in the minds of men, whose religion, the result of habit, consisted entirely in external ceremonies. Some, weakly believing the end of the world to be approaching, and that the destruction of the human race had been decreed as a just punishment for their transgressions, gave way to every excess in which passions the most licentious could indulge ; alleging, in excuse for their disorderly conduct, that it would

\* May, II. x.

be folly to neglect enjoying the small remnant of life that was left. Others, equally inconsequent, thought the vengeance of offended Heaven could only be appeased by the effusion of human blood. The unfortunate race of people, who had been so long the objects of popular calumny, were again selected for persecution; and an event, produced by a secret combination of natural causes, was almost universally attributed to the malevolence of the Jews. Accused of poisoning the springs, and adulterating every article of food, they fell by thousands the devoted victims of popular indignation. In vain the constituted authorities attempted to protect those unfortunate wretches. The arm of justice was too feeble to contend against the fury of an infuriated mob. Many instances might be selected to show, that magistrates of respectable characters were compelled to pass sentence upon prisoners, of whose innocence they were fully persuaded. Baptism or death were the only alternatives. If they hesitated, they were dragged to the stake, and there treated even in the agonies of death with every indignity which ferocious bigotry could suggest.

CHAP. suggest. With their dying eyes they beheld  
 VIII. their infant children receiving the mystic sign  
 of christianity from the hands of an exulting  
 priest, and thus constrained to become mem-  
 bers of a sect, against which their prejudices  
 were not likely to be softened by the inhu-  
 manity of it's ministers \*.

Meanwhile Charles established his au-  
 thority on a solid foundation. Many of the  
 princes, who at first opposed his elevation,  
 were conciliated by his munificence; and  
 the Helvetic states were induced to acquiesce  
 in his government, by the ratification of their  
 late conquests. Among these the town of  
 Laupen was included, with other imperial  
 fiefs.

1350. The long-pending contest between the  
 monks of Einsiedlen and the canton of  
 Schweitz, which had served as a pretext for  
 the first war between Austria and Switzerland,  
 and had long baffled the united efforts of  
 the spiritual and secular jurisdictions, was at  
 length terminated by the benevolent exertions  
 of the Abbot of Dissentis. The limits of

\* Stumpf. XII. Tschudi, V. Barre, Histoire  
 d'Allemagne, IV.

their

their respective territories being ascertained CHAP. VIII.  
 with precision, the champions of Helvetic liberty were absolved from those interdicts, which, (considering the bigotry of the age,) they had borne with a fortitude that did honour to their understandings\*.

Rudolph Brun continued long to enjoy the confidence of his fellow-citizens, and governed Zurich, during fourteen years, with credit to himself and advantage to his country. It is in the nature of all popular governments, that distinguished merit should be exposed to envy; and this is peculiarly the destiny of men who have been instrumental in promoting revolutions or reforming abuses. We cannot wonder,

\* It was fortunate for the cause of humanity that the superstition of the times set apart any season of the year for the exclusive practice of religious duties, during which the exercise of arms was forbidden under the heaviest penalties. As yet, the fiat of the church was unquestioned in ecclesiastical affairs. So that men, to whom murder was a pastime when presented under the attractive form of war, threw aside the cuirass during the forty days of Lent, and persuaded themselves that they were performing an acceptable service to the Almighty, in suspending their vengeance during that period of penitence, and postponing the execution of their ferocious designs to a season, which is more calculated than any other in the christian calendar to inspire mercy.

therefore,

CHAP. therefore, if the portrait of Brun should  
 VIII. be represented under different colours, according to the principles of his biographers' tinctured their pencil. The state, however, over which he presided, was certainly never more flourishing than during the brilliant period of his administration; and perhaps, in estimating the characters of public men, no juster criterion can be adopted. By the opposite faction he is accused of having acted with arbitrary violence, and sacrificed the interests of his country to views of private emolument.

- That of all the forms of human policy an oligarchy is in general the most oppressive and corrupt, is a position which requires little illustration. By those, at least, who are acquainted with the constitutions of Genoa and of Venice, it will hardly be controverted. By extending the rights of election to a wider circle of citizens Brun rendered an essential service to the community. The constant opposition which he experienced in all his plans of reform, and the dangers to which he was exposed from the secret machinations of his enemies, might exasperate a temper

liable to irritability, and induce him to adopt a more rigorous system than would be perfectly reconcileable with the strict rules of justice during a period of domestic tranquillity. But, whatever may have been the motives which influenced his actions, it is to the talents and exertions of this extraordinary man that the members of the Helvetic confederacy were in a great measure indebted for the happiness and prosperity which they enjoyed. Nothing short of the decisive preponderancy which Zurich obtained by the prudence and the energy of his administration could have secured the liberties of Switzerland. It was the point of union round which all the cantons rallied. Formidable were the onset of Schwitz in the hour of battle. With an impetuosity, which nothing could resist, did the shepherds of Uri and Unterwalden pour down from their native mountains. But while happy in their sequestered vallies, a nation of herdsmen was but little calculated to take the lead in a great political association, or to direct the springs which guide the complicated machine of a federative government. It is by no means our object to exculpate Brün from

the

CHAP. the imputation of tyranny. But candour  
 VIII. obliges us to acknowledge, that we discover  
 nothing in the behaviour of his enemies  
 which can inspire a belief that they were in-  
 fluenced by purer motives. If the rigour of  
 one was dictated by a spirit of revenge, or by  
 the interested suggestions of personal ambi-  
 tion, the opposition of the other was certainly  
 the effect of disappointed pride. The ill suc-  
 cess of their former attempt had taught the  
 partisans of aristocracy that they had little  
 to expect from the concurrence of their fel-  
 low-citizens, who, notwithstanding the pre-  
 tended severity of Brun, appear to have  
 been sincerely attached to his person. Their  
 only hope of recovering their former conse-  
 quence was derived from the support of  
 foreign powers; nor could this be effected  
 without assassinating the leaders of the de-  
 mocratic faction.

Instances are not wanting in history, in  
 which the most heinous crimes have been me-  
 tamorphosed into virtues by the perverted  
 principles of party-prejudice, and bigot zeal.  
 Even the massacre of Saint Bartholomew,  
 that atrocious instance of Gallic perfidy, be-  
 came



came an object of triumph; and was celebrated CHAP.  
at Rome with all the ostentation of religious VIII.  
pageantry, as an acceptable sacrifice to the  
GOD OF MERCY. Perhaps the present anecdote may be of a similar description. For it would be cruel to suppose, that a large body of men, who had been taught by the chivalrous notions of the age to consider honour as an idol, at whose shrine every other duty must be sacrificed, should gratuitously ordain the slaughter of hundreds of their fellow-creatures, or be able to persuade themselves, that so barbarous an action was consistent with the tenets of that romantic creed.

Having regulated their plan, and established a private correspondence with the disaffected, they imparted the secret to the count of Hapsburg, offering to cancel all existing mortgages, provided he would assist in restoring the ancient constitution. The hearts of princes are seldom more callous to the suggestions of interest, than those of less exalted personages. The proposal was readily accepted, though a truce actually subsisted at that time between Zurich and Rapperswyl. The count, however, endeavoured

CHAP. endeavoured to reconcile this breach of public  
 VIII. faith by that easy system of political casuistry  
 which we so often detect in the annals of a  
 court; pretending that the death of his fa-  
 ther, who fell at Grunau, remained still unre-  
 venged. Many more of the independent ba-  
 rons engaged in the enterprise; and a day  
 was fixed for the execution of this execrable  
 project. Small bodies of troops were intro-  
 duced into the town, disguised like peasants;  
 while a considerable force was privately as-  
 sembled in the convent of Einsiedlen. Vesa-  
 sels were also prepared under various pre-  
 tences, either to assist in the attack, or to af-  
 ford the means of escaping, if the attempt  
 should prove abortive. But what appears the  
 most extraordinary circumstance in the whole  
 transaction is, although upward of seven hun-  
 dred persons were privy to the conspiracy,  
 the most inviolable secrecy was preserved till  
 the very hour of it's being carried into execu-  
 tion. On the day preceding, Ulric of Bon-  
 stetten arrived with a numerous retinue, un-  
 der the pretext of visiting a near relation  
 who had devoted herself to a monastic life.

The

The count of Hapsburg followed the same CHAP. evening; nor was a plausible reason wanting VIII. to disguise the real motive of his journey.

The sun was already set, and the conspirators were prepared. A large body of cavalry, assembled near the gates, waited only for the appointed signal to commence the work of slaughter. The leaders of the democratic party had closed their eyes to sleep, never more (as their enemies believed) to open them to the light of heaven. At this momentous crisis, when the fate of Zurich seemed decided for ever, the count of Toggenburg was seized with a sudden panic, or struck with remorse at the atrocity of the projected deed. Accompanied by a few attendants he hastened to the port, and embarked in the first vessel which he could procure. Surprised at the appearance of an unknown knight in complete armour at that late hour, the boatman examined him with scrutinizing attention. Suspecting that his country was in danger, he resolved to alarm the magistrates.

His only difficulty was how to dispose of the passengers; but after some hesitation, he embraced the hardy project of oversetting the

VOL. I.

C c

boat,

CHAP. boat, and trusting to Providence for the  
VIII. event. Throwing himself therefore into the  
lake, he swam to the shore, leaving the help-  
less strangers to sink under the weight of  
their arms. Nearly at the same time a baker's  
boy, who had overheard a conversation of  
the conspirators, carried intelligence to the  
burgomaster, that the city was filled with  
armed men. Brun immediately ran to the  
town-house, where he barricaded himself till  
his friends could fly to his assistance. The  
alarm-bell rang, The tumult became gene-  
ral, and the gloom of night increased the  
universal horror. Finding themselves disco-  
vered, the insurgents seized their arms, and  
rushing into the streets, resolved to die like  
soldiers. The air resounded with the cries  
of vengeance, and the groans of death.  
Amid the confusion and darkness, friends  
were with difficulty distinguished from foes.  
Priests, women, monks, mechanics, flew to  
the defence of their country, while the very  
children threw down tiles from the houses  
upon the heads of the traitors. Convinced  
that all resistance was vain, the conspirators  
attempted to gain their boats, leaving Bon-  
stetten

stetten and the count of Hapsburg to the mercy of their enemies. Many fell in the retreat, or perished in the lake; while several were taken, and died by the hands of the executioners \*.

CHAP.  
VIII.

Brun is accused of having sullied his triumph by cruelty. Far be it from us to attempt a justification of the inhuman, or the proud! We feel for the distresses of our fellow-creatures, and view the violence of the mighty with an indignant eye. But such, alas! appears to be the nature of great political revolutions.

Having chastised the traitors with exemplary severity, Brun thought the moment favourable to revenge himself on his external foes. For this purpose he summoned his allies of Shaffhausen to take the field, and putting himself at the head of the combined forces appeared before the gates of New Rapperswyl, the usual rendezvous of the hostile party. The resistance which he experienced was trifling. After a siege of three days the inhabitants capitulated, upon receiving a

\* Muller, II. iv. Stumpf, VI. Tschudi, V.

CHAP. promise that their lives and property should  
 VIII. be spared. The March, a narrow neck of  
 land near the shores of the lake, soon followed  
 their example; and the conquerors returned  
 in triumph, after razing the town of Old Rap-  
 perswyl, which was likewise taken without op-  
 position. Brun however was still of opinion,  
 that nothing material was effected toward the  
 permanent security of Zurich so long as New  
 Rapperswyl continued to afford a safe asylum  
 to the disaffected. No sooner had he resolved  
 upon its destruction, than the sentence was  
 executed, and the miserable inhabitants, in  
 direct violation of the capitulation, were dri-  
 ven from their paternal abodes\*.

So flagrant a breach of public faith af-  
 forded ample scope for the enemies of Brun  
 to blacken his character by the most injurious  
 imputations; while the disconsolate exiles  
 filled the neighbouring courts with complaints  
 and lamentations, calling loudly for venge-  
 ance on the perfidious foe. Zurich was now  
 represented as a city, on which no tie was  
 binding, but which sacrificed every principle

• May, I. xi.

of

of justice and humanity at the insatiate shrine of interest.

CHAP.  
VIII.

Albert had long waited with impatience for an opportunity of crushing the Helvetic states. The moment seemed propitious, and he resolved to embrace it. Forgetting that the count of Hapsburg had been the aggressor, he complained in the bitterest terms of the treachery of Zurich, inviting his numerous allies to unite for the destruction of that dangerous commonwealth. The proposal coincided too well with the prejudices and interests of the aristocratic faction to meet with an unfavourable hearing. A coalition was immediately formed, which was continually branching forth into fresh ramifications; so that the fate of Zurich became every day more precarious. In this crisis of danger prudence pointed out one only resource, and directed the attention and wishes of the devoted burghers to an alliance with a people, who had already triumphed in the same glorious cause. Deputies were accordingly despatched with the most pressing solicitations to the forest-cantons, and a treaty was concluded without delay;

CHAP. delay; for few are the impediments to be  
 VIII. surmounted when integrity and confidence  
 form the basis of negotiation. Out of respect, however, to the dignity of an imperial city, precedence was allowed to Zurich in the confederacy. The act was signed in the  
 1351. beginning of May, with the usual restrictions respecting feudal claims. *The first article regarded the limits, within which the union was to be circumscribed; and they were accordingly confined to the country between Rhetia, and the Rhine, the Aar, and the Thur. Should any of the contracting parties engage in hostilities beyond those boundaries, the other members of the confederacy were at liberty to act as their inclination might prompt. But within this district their troops were obliged to march at the first summons, and were to be maintained in the field at the expense of their respective states. Yet if either of the confederate cities should be besieged, it was then forced to furnish supplies to the garrison, though composed of soldiers from the other cantons. The allies still farther covenanted to employ all the means in their power to obtain redress for each other, in the event*



event of their receiving any real injury, even CHAP. beyond those specific bounds. Should any VIII. disputes arise among themselves, deputies were immediately to assemble at Einsiedlen for their amicable adjustment ; but if either party persisted obstinately in it's pretensions, the affair was to be referred to the definitive judgment of five arbitrators, chosen expressly for that purpose. Criminals were to be mutually given up, the moment they were claimed : nor were any appeals to be made, or denunciations carried, to any ecclesiastical tribunal. The forest-cantons engaged to support the new government of Zurich. But in order to render this treaty an object of still greater importance by recalling it continually to the public attention, it was farther enacted, that it should be renewed every ten years with striking solemnity ; though the omission of this ceremony, if unavoidable, was in no wise to invalidate the alliance \*.

It is curious enough to compare the concise and simple style, employed by the Helvetic states in regulating the conditions

\* Tschudi, VI. Stumpf. VI.

CHAP. of their federative association, with the  
VIII. verbose and complex forms of modern diplomacy. At that time the union of nations was effected in nearly as few words as have since been wasted to enumerate the dignities of a Spanish plenipotentiary. The character of the Swiss was guileless as it was brave. Their virtues were the growth of nature, their expressions simple, their habits of life unpolished. But in the hour of danger they displayed an unshaken fortitude, which must entitle them to the admiration of posterity so long as an asylum shall be left for liberty, where it is safe for the historian to commemorate the struggles of a free people, and to hold them up to mankind as examples to imitate and to revere.

No sooner was Albert made acquainted with this transaction, than he resolved, by accelerating his preparations, to check the evil before it had spread too widely. Determining however to persevere in the system of dissimulation which he had hitherto practised with success, he received the delegates of Zurich, who were sent to congratulate him

him on his arrival at Bruck, with the most gratifying appearances of courtesy \*.

CHAP.  
VIII.

Albert was sixty-three years of age when he succeeded to the Austrian dominions; and is represented, by many of the German writers, as a prince of distinguished virtues. His person was manly and dignified; and his understanding, naturally strong, had been improved by literary pursuits. His equity, his humanity, and his moderation, have likewise afforded ample themes for panegyric. But if we refer to his actions, the only just criterion upon which a rational opinion can be founded, the portrait appears drawn with a very flattering pencil; for unless rashness be a symptom of courage, obstinacy a mark of perseverance, and severity a characteristic of justice, it will be in vain to search after those splendid endowments which the venal pen of adulation has so lavishly bestowed.

Albert was no sooner convinced that the current of popular opinion was favourable to his projects than he threw aside the mask. The piteous tale of the Rapperswyllers had

\* Muller, II. iv.

made

CHAP. made a strong impression ; which was artfully  
 VIII. increased by his secret emissaries. Finding  
 himself at length prepared for action, he issued  
 an imperious mandate, commanding the Zurichers to rebuild the town of Rapperswyl, over which, in quality of feudal lord, he pretended to exercise a paramount jurisdiction. At the same time he enjoined them, in a style equally dictatorial, to restore the conquered territories, and to indemnify their adversaries for the expences of the war. This menace was backed by an army of twenty thousand men, at the head of which he appeared in person before the gates of Zurich \*. A numerous tribe of vassals and sovereign princes marched in his train; among which we may enumerate the margrave of Brandenburg, the duke of Teck, and the burgrave of Nuremberg. The bishops of Bamberg, Wurtzburg, Bâle and Coire, sent reinforcements to the Austrian camp; where we likewise remark, though not without surprise, the banners of Soleure, Bâle, and Berne†. Considerable accessions of force

\* On the 13th of September.

† Stumpf. VI.

likewise

likewise arrived from many of the imperial CHAP. VIII.  
cities. To oppose this mighty host the Zurichers had nothing but their courage; for, of all their friends, none dared to stir in their defence, except the forest-cantons, whose supply of fifteen hundred men fortunately arrived a few hours before the city was invested\*.

The destruction of Zurich now seemed inevitable. But Providence, which in mercy resolved to set bounds to the violent career of despotism, did not will it's fall. Amidst this show and apparatus of war secret jealousies prevailed. Many of the allied barons viewed the increasing power of Austria with a suspicious eye; and were alarmed at the prodigious augmentation of strength which would accrue to that ambitious family from the annihilation of Helvetic freedom. Others were struck with compassion for the destiny of a people who had displayed such unshaken magnanimity in the most trying situations. In a word, the conduct of the coalesced powers was such as might be naturally expected from an heterogeneous body, acting under the

\* May, II. xii.

impulse

CHAP. impulse of different passions, and solely guided  
 VIII. by the suggestions of interest. Scarcely were  
 they assembled before the walls of Zurich when secret conferences began to be held, for the express purpose of terminating the contest without effusion of blood. This plan was warmly supported by the count of Toggenburg, and the deputies from Berne; and after having been reduced to a regular system was presented to Albert for his approbation. Convinced that it would be fruitless to oppose the wishes of his allies, the duke received the proposal with affected moderation; and though deeply mortified at the disappointment, was easily induced to consent to the nomination of two arbitrators by each party, to whose decision this important quarrel should be submitted. The Zurichers acceded to the proposition with secret satisfaction; when it was further stipulated, that if the delegates should disagree respecting the terms of accommodation, the affair should be ultimately referred to the decision of Queen Agnes, whose sentence should be conclusive. Meanwhile the citizens engaged to send hostages to the Austrian camp, in token

token of their submission to the award. This CHAP. VIII. latter measure was violently opposed by the forest-cantons, as imprudent and premature, but their arguments were ineffectual. Nay they were themselves prevailed upon, by the urgent solicitations of Brun, to become parties in the negotiation, and to acquiesce in the umpirage of the widowed queen.

The conduct of Brun upon this occasion is liable to suspicion; since, whatever might have been his private opinion respecting the moral rectitude of the devout Agnes, such unlimited confidence in the integrity of a person, whom personal attachment and family-pride could not fail to bias in favour of the hostile cause, was totally inconsistent with his cautious character. We must therefore either suppose him to have placed little dependence in the fortitude and perseverance of his fellow-citizens, or to have acted under the influence of corruption.

Amidst such combinations of discordant interests it could hardly be expected that the sentiments of the arbitrators should agree. The Austrian plenipotentiaries, both of whom were vassals of that powerful family, asserted claims

CHAP. claims scarcely less exorbitant than what  
VIII. might have been imposed by the dictatorial  
voice of victory. Their opponents, on the contrary, affirmed that they had not been the aggressors in the war. Far from manifesting an inclination to restore the conquered territory, they contended that the losses sustained by their enemies ought to be considered as the merited reward of treachery. Between parties obstinately attached to their own opinions every conference tended only to widen the breach. No hope of accommodation remained but in the equity of queen Agnes, to whom by mutual consent the final decision had been referred. The congress being in consequence removed to Königsfelden, the commissioners laid their respective pretensions before the royal widow. But no sooner did she hear them, than to the dismay of the Swiss she confirmed the claims of Austria in their fullest extent\*.

By this award the Zurichers were compelled to rebuild the town of Rapperswyl, and to restore it with all its dependencies to

\* Tschudi, VI.



the count of Hapsburg. They were likewise CHAP. condemned to make ample satisfaction to VIII. Albert for their cruel treatment of a people who were under his immediate protection; and, lastly, to indemnify all the friends of Austria for the damages sustained during the war\*.

The injustice of this sentence, with respect to the forest-cantons, was scarcely less apparent; every point in contest being adjudged in favour of their enemies.

In vain did the Swiss complain that their plenipotentiaries had exceeded their powers, and petition the duke for a mitigation of the sentence. Albert was deaf to every application, and gave them to understand, that he was firmly resolved never to liberate the hostages till the award was fully carried into effect. Meanwhile the friends of these unhappy captives grew so clamorous for their release, that they at length induced the senate to execute the treaty. Having therefore sworn to fulfil the conditions, they demanded the restitution of the hostages; when Albert replied, that so long as the count of

\* Id. ib.

Hapsburg

CHAP. Hapsburg was detained in captivity they must  
VIII. not expect their liberty.

Confounded at this unlooked-for demand the Zurickers produced the award, in which no mention was made of the illustrious prisoner. The equity of the case was clear: but power as usual preponderated; and the hostages were still at the duke's disposal. Feeling all the advantage of his situation, and indifferent to the opinion of mankind, he insisted that notwithstanding the nominal neglect with which his noble kinsman had been treated, count John was indisputably comprehended under the general clause, by which it was agreed that all the vassals and dependents of the house of Austria should be immediately released. From the very beginning of the treaty Albert had been evidently insincere in his wishes for peace. He sought only to humble the confederates, and to throw upon them the whole odium of the war. This suspicion will be still farther confirmed, if we examine the award with a critical eye. For it was drawn in so loose and indeterminate a style, that almost every clause was capable of any construction which  
it

it should suit the interest of Austria to affix. CHAP.  
Such accumulated instances of injustice were VIII.  
not to be endured : and the Zurickers, who  
now penetrated the real views of their enemy,  
convinced of the inefficacy of submission, saw  
no prospect of redress except in God and their  
swords.

Albert immediately summoned his numerous vassals to join his standard. Among these, the house of Austria had been accustomed to include the peaceful shépherds of Glaris. For so undefined was the situation of many of the Helvetic provinces; and so complicated the chain of feudal relation, that it would have been an arduous undertaking for the profoundest civilian to unravel the intricate clue. Nothing therefore would be easier than to institute a claim; and nothing more difficult than to defeat it. Strangers to every science, which was not connected with a pastoral life, the natives of Glaris possessed no documents, but those which nature gives, to prove that they were free. Yet no arguments which their pretended master could adduce were sufficient to convince them, that it was necessary for

CHAP. men under any circumstances to abandon

VIII. the comforts of domestic life, in order to invade the territory of a people against whom they had no cause of complaint. They therefore replied to the Austrian commissary that, " They were much astonished at his master's request. The Zurickers had never carried away their cattle, nor offered outrage to their wives or daughters \*. Why then ought they to consider them as foes? They were themselves a plain and simple people, and understood but little of the laws of war. They knew, however, that it was contrary to the precepts of the Gospel to return evil for good. Nothing therefore should ever persuade them to engage in foreign hostilities; but whoever dared to invade their peaceful vallies would soon find that they wanted not the spirit to defend their rights."

The haughty soul of Albert was little calculated to support contradiction; particularly from a people, whose artless manners and contracted wants rendered them the objects of his derision. Neither side was inclined

\* Tschudi, Stumpf. Guillimann.

to yield. The Austrian threatened: the Glarners refused to obey\*.

CHAP.  
VIII.

No sooner was the senate of Zurich apprised of what had passed, than they determined to seize the propitious moment, and gain another member to the confederacy. Without farther delay, therefore, they despatched a body of troops to guard the defiles through which the canton of Glaris was accessible, before an Austrian army could approach. A proclamation announced their benign intentions to the inhabitants. "They came not (they declared) attracted by the hope of plunder, or in the view of adding a tributary province to their republic. Their motives were founded in benevolence, and they offered them protection and freedom". Such language is captivating. They were received with open arms, and welcomed as men sent by Heaven to rescue the weak from the persecutions of tyranny. An alliance was immediately concluded, and two hundred of the men of Glaris marched back to reinforce the garrison of Zurich.

Like the contiguous cantons of Schweitz

\* Tschudi, Glarnerchronick.

CHAP. and Uri, Glaris is strong from it's situation.

VIII. Encircled by rocks, which are in most places inaccessible, it trusted to nature for its defence. These stupendous mountains almost to their very summits abound in fertile pastures, where numerous herds feed during the summer, and afford wholesome diet to a vigorous race of men. In the vale beneath runs the rapid Limmat, which after diffusing plenty during its circuitous course empties itself into the lake of Zurich. The Glarners however, though distinguished by a variety of privileges, like their neighbours of the forest-cantons, cannot with propriety be said to have been perfectly free. The pecuniary aids and contributions paid to the convent of Seckingen were vestiges of feudal dependence. But, on the other hand, their municipal government was vested in a council of twelve, chosen from among their own citizens, though at the nomination of the lady abbess; over whom a bailiff presided. Such was the condition of this patriarchal people, till Albert compelled the abbess to cede her claims to the house of Austria. Accustomed to live in a state of uninterrupted prosperity under her mild jurisdiction,

risdiction, the natives refused to acknowledge any other superior. Hitherto they had struggled ineffectually for the recovery of their ancient immunities. No concessions had been made, no conciliation had been attempted on the part of Austria. The breach was daily widening; nor was the sullen ferocity of a German soldier calculated to heal animosity. A system of rigour had been adopted. Many of the most respectable families were banished; and the whole form of government was changed. Thus the spot, which a few years before presented the most grateful spectacle to a philanthropic mind, now exhibited a melancholy picture of grief and despair.

Awakened at the call of freedom the Glarners ran to arms. Secure in the support of their new allies, the first use which they made of their independence was to restore the ancient constitution. Meanwhile the Austrian governor, though his fears were probably groundless, thought it prudent to retire. Liberty, and not revenge, was the object of the Swiss, during the whole course of their emancipation. In this respect, the

CHAP. Helvetic revolution is without a parallel in  
VIII. the annals of the world. Among other people,  
placed in similar situations, the suggestions of  
interest or of malignity have usually operated  
with greater force than any patriotic con-  
siderations of public good. Hence they have  
been led to deviate from the plain path of  
rectitude, and have dignified the sacrifice of  
a successful rival with the pompous appellation  
of tyrannicide. The more minutely we in-  
vestigate the most celebrated instance of this  
nature which history records, the less reason  
perhaps we shall find to applaud either the  
prudence or the disinterestedness of the con-  
spirators\*.

But there was nothing selfish in the conduct  
of the Swiss; nothing to disgrace the cause  
in which they engaged. In the pursuit of

\* This certainly is not the moment to enter into a  
critical analysis of the motives by which the murderers  
of Cæsar were influenced. But it would probably be  
no difficult task to prove that, with the single exception  
of Brutus, there was not one among the conspirators  
whose sole object was the public good. Cassius was  
clearly instigated by interested views, and appears to  
have worked upon the feelings of his friend, that he  
might employ a popular name as a cover to his own  
ambition.

liberty



liberty they were neither rashly elated by CHAP. partial triumphs, nor unmanfully dejected by VIII. momentary reverses. They were moderate in prosperity, and intrepid in the hour of danger.

In the following year\* the accession of 1352. Glaris to the Helvetic confederacy was publicly ratified with the usual formalities. The style and conditions of the several treaties, by which the union of Switzerland was confirmed; differ so little from each other, that to repeat them would be a waste of time. We shall therefore content ourselves with pointing out those instances alone, in which any material variation took place. The other cantons had hitherto treated on terms of perfect equality. But such was the situation of Glaris, that she could have no claim to the same indulgence, and must have acceded to any proposal by which her independence was guaranteed. Fortunately however for the Swiss they were totally unacquainted with those refinements which we call policy ; and were simple enough to consider generosity as a principle not less amiable in the transactions

\* In the month of June.

CHAP. of nations, than in the habits of social life.

VIII. Glaris was therefore fettered with no stipulations which enlightened justice could disapprove. The only enactment, which was not reciprocal, restrained the new member from forming treaties with foreign states without the express consent of its co-allies. This partial distinction was subsequently abrogated; and the inhabitants of Glaris became entitled to every prerogative, enjoyed by the other cantons, in the fullest extent\*.

Not content with having secured their flank by the acquisition of a gallant ally, the confederates directed their attention toward every other quarter whence an attack was to be apprehended. The imperial cities of Bâle and Strasbourg had recently sent a reinforcement of two hundred men to assist the Austrians in covering Baden. These troops being stationed at a small distance from the town, and in a position by no means advantageous for active service, Brun formed the bold design of surprising their camp, and resolved to conduct the enterprise in person.

\* May, II. xiii.

Desirous

Desirous of uniting the highest military em-  
ployments to the civic dignities which he CHAP. VIII.  
already enjoyed, he found the confidence of  
his fellow-citizens as unlimited as his own  
ambition. No honours were deemed too  
great for the man to whom they owed their  
independence, and whose active vigilance had  
so lately rescued them from the sword of the  
assassin. Conscious, however, that secrecy  
alone could give success to the undertaking,  
Brun concealed his design, till the moment of  
his departure from Zurich. On Christmas-eve,  
while the burghers were occupied in pre-  
parations for celebrating that solemn festival,  
he sallied forth at the head of a select band.  
But, in spite of every precaution, the enemy  
had gained intimation of his projected attack,  
and retired under the walls of Baden, where  
they had no longer any thing to apprehend.  
Vanity was too deeply interested in the  
event of this expedition for Brun to bear  
the disappointment with composure. Giving  
way, therefore, to the natural impetuosity,  
he revenged himself by laying waste the  
open country. In the first ebullitions of  
fury he destroyed the small but flourishing  
town

CHAP. town of Freudenau, situate near the conflux of  
VIII. the Limmat and the Aar. He next directed

his march toward Baden; and was preparing to encamp his little force, which did not exceed fourteen hundred men, in a valley near Tatvyl, when he received intelligence that a numerous body of Austrians, under the command of Burchard of Ellenbach, was advancing to give him battle. This chieftain had drawn together a considerable force from the neighbouring garrisons, and had been observing the enemy with a vigilant eye. The position which they now occupied afforded him the means of cutting off their communication with Zurich. To troops surrounded on all sides by a superior army, a battle seemed hazardous, a retreat impracticable. Brun's only resource was in the energy of his own mind, and to that a hero would have resorted. But Brun no sooner learned the danger with which he was threatened, than his courage failed. Under pretext of reconnoitring the Austrian camp, he quitted his own; and taking advantage of his local knowledge, got safe beyond the enemy's lines. It was impossible for his warmest

warmest advocates to palliate so dastardly an action. The only rational mode indeed of accounting for it in a man, who upon various occasions had given striking proofs of magnanimity, is to suppose him struck with a sudden panic, a circumstance by no means without example in the history of human weakness. Conscious of being the author of the revolution, he dreaded the vindictive spirit of the opposite faction, if he fell into their hands. In such a situation a Roman would have died. Brun deemed it more prudent to fly. CHAP. VIII.

Manesse, who was second in command, soon suspected the truth; and though he entertained no high opinion of his general's military talents, yet he with justice apprehended the effect which his flight might produce among the soldiers, by whom he was adored. Resolving therefore to have recourse to dissimulation, he called them together, and addressed them in the following discourse; "You see, my friends, that nothing is left to us but to cut our way through the hostile ranks, or to fall ingloriously into their hands. The former, perhaps, is less difficult than it may appear;

CHAP. appear; the latter will be attended with certain  
 VIII. destruction. Your general is already gone in  
 search of reinforcements, and is perhaps at  
 this very moment marching to our succour.  
 His arrival would ensure success, but would  
 diminish our glory. If we beat the enemy  
 without any additional aid, the honour will  
 be all our own. I read your answer in your  
 countenances. I partake your feelings, and  
 I will deserve your confidence."

Availing himself of the ardour which he  
 had thus raised, he led them to the charge.  
 The Austrians were already in motion, and  
 fought so manfully, that the republicans were  
 on the point of retreating, when an unex-  
 pected event changed the fortune of the  
 day\*.

A troop of mountaineers, who came too  
 late to accompany Brun, no sooner learned  
 the route of his army, than they followed his  
 footsteps, and reached the field of battle at

\* According to some historians, Manesse caused a  
 number of mares to be driven among the Austrian ca-  
 valry, and thus rendered their horses so unruly they were  
 no longer governable. But this is probably one of  
 those tales which may be classed with the story of  
 Darius and his groom.

the

the close of day. Shouts of exultation announced their arrival. They were welcomed with cries of joy by their exhausted friends, who now no longer doubted that their general was returned with the expected reinforcement. The effect, produced on the minds of the Austrians by these repeated peals, was widely different. The obscurity of the night prevented them from estimating the numbers of their opponents, except by the sound of their voices. Their apprehensions magnified the danger, and led them to imagine that the whole force of Zurich was on their flanks. The panic spread. A retreat was attempted, as the only resource. Finding the enemy giving way, and attributing their success to the presence of their beloved Brun, the Zurichers renewed the fight with redoubled prowess, and drove them with prodigious slaughter to the very gates of Baden\*.

As the melancholy tidings of their general's distress had excited universal consternation,

Schodeler estimates the loss of the Austrians at 700 men. Tschudi reduces it to 450, Roo to only 600; but they all agree that six banners fell into the hands of the conquerors.

the

CHAP. the unexpected return of the army occasioned  
VIII. the liveliest transports of joy. The streets were crowded with exulting citizens, eager to embrace the hero to whose gallant conduct they attributed the recent victory. In proud array the troops paraded the principal streets ; but Brun was no where to be seen, and without his presence the triumph was incomplete. The story of his disgrace was soon whispered abroad ; but such was the infatuation of faction, that the populace tumultuously seized the banner of the state, flew to a neighbouring villa where he lay concealed, and dragging him by force from his retreat, brought him back in all the pomp of military ovation. The situation of Brun was now ludicrous in the extreme. Conscious of his misconduct, he for some time doubted the reality of what he saw, and suspected that the scene before him was intended in derision of his dastardly behaviour. But the respect and applause with which he met, at length dissipated his apprehensions, and gave confidence to his distracted mind. Yet how great was his astonishment, when upon entering the city he was hailed by general acclamation the deliverer



verer of his country ; and as a reward for his CHAP.  
 services was confirmed in his important of- VIII.  
 fice during life. Nay, such was his popularity,  
 that the story of his flight was universally  
 treated as a calumny invented by the parti-  
 sans of aristocracy, to degrade the champion  
 of liberty in the public estimation\*.

No sooner was it known that Glaris and the forest-cantons had sent reinforcements to Zurich, than the Austrians despatched flying parties in every direction, with orders to lay waste their lands and carry off their cattle. Hostilities were conducted in this desultory manner during the greater part of the winter; while the Zurickers retaliated by frequent incursions on the Austrian territory, which were almost constantly attended with advantageous results.

Such repeated trials of successful prowess operated as powerful incentives on the public mind. They roused the indolent, encouraged the timid, and gave decision to the most irresolute. The government itself was hurried on by the rapid tide of prosperity to under-

\* May, II. xii.

takings

CHAP. takings which in the cooler moments of reflection would have appeared chimerical. For in what other light can the offensive operations of these gallant mountaineers be regarded by a mind which weighs all the occurrences of life in the common scale of probabilities, when directed against the gigantic power of the house of Austria? But the efforts of every people during the turbulence of a revolution, like those of the human body under the paroxysm of a phrenzy-fever, so far exceed all the results of ordinary computation, that to reason upon the settled principles of experience and observation is voluntarily to embrace error.

The town of Zug was opportunely situated for a desultory attack upon the forest-cantons. During the late hostilities its garrison had annoyed them by frequent sallies, and was at all times able to throw considerable impediments in their way\*. Zug †, the capital of the ancient Tugeni, was founded about a century before the christian era. Destroyed

\* May, II. xiv.

† In Latin, Tugium.

by domestic folly at the period of the CHAP. Helvetic emigration, it was rebuilt by the VIII. command of Cæsar, to perish a second time by the destructive sword of Attila \*. During the tumultuous confusion of Gothic times, it fell under the dominion of the counts of Lensberg, to whom it continued subject till the year 1172; when that illustrious family became extinct. Thence passing, with the most valuable part of that rich succession to the house of Kyburg, it ultimately centered in the Austrian family †.

Encouraged by former triumphs, and the presumptuous indolence of Albert, the confederates assembled an army of three thousand men, and penetrated into the canton of Zug. But as the main object of this expedition was to diffuse the blessings of liberty, they wished to conquer by persuasion rather than by the sword. Previously therefore to their taking the field, an agreement was entered into with the adjacent townships, by which it was stipulated that no injury should be

\* May.

† Stumpf, VI: Guillion, III.

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offered;

CHAP. offered, provided they observed the strictest  
VIII. neutrality. Their future destiny was to depend on the event of the siege, and their connection with Zug to remain unbroken.

At the approach of the confederates, the garrison evacuated the town, abandoning the burghers to their own discretion. This precipitate retreat was probably owing to two causes; want of confidence in the co-operation of the citizens, and want of resources for a regular defence. Though left entirely to their private counsels, the Zügers determined to defend themselves, till they were fully acquainted with the intentions of Austria. For fourteen days, little progress was made; but no reinforcement arriving, and provisions becoming scarce, a truce was concluded for forty-eight hours, upon condition that the town should surrender if not relieved within that period. Albert was then at Königsfelden, whither commissioners were instantly sent to apprise him of their distress, and of their inability to resist, unless supported by an Austrian army. The duke received the intelligence with apparent indifference, and without deigning to reply to the deputies,

continued

Continued conversing with one of his falconers about his favourite amusement of hawking \*. CHAP. VIII,

Herman, a wealthy inhabitant of Zug, and head of the legation, being too sensibly struck with the indignity of such behaviour, could not suppress his feelings, but gave way to his emotions in the following words: " Since your highness considers the health of your birds to be more worthy of your attention than the distresses of your subjects, it henceforth becomes their indispensable duty to provide for their own safety. It is my business, therefore, to apprise you, that unless your town of Zug be immediately relieved, it will be constrained to surrender at my return." " Be it so!" rejoined Albert with haughtiness. " In that case we shall have one city more to conquer."

The Zugers, whose attachment to the Austrian government was such as might be expected from the treatment which they experienced, were no sooner made acquainted with the duke's neglect, than they conformed with alacrity to the insulting mandate. But as

\* May, II. xiv.

CHAP. they justly considered that obedience and  
VIII. protection are reciprocal duties, and can by no  
political casuistry be disunited, they wisely  
resolved that the bond once broken should be  
severed for ever. The stipulated period hav-  
ing elapsed, the gates were thrown open, ac-  
cording to the conditions of the armistice ;  
and the confederates entered the town amidst  
the acclamations of it's inhabitants, not as  
conquerors, but as friends. An union was  
proposed on one part with generosity, and  
was accepted with gratitude by the other.  
The vanquished were admitted into the Hel-  
vetic confederacy, upon the usual terms, and  
with the usual restrictions\*.

From the answer returned by Albert to the  
delegates of Zug, his plans might be easily  
foreseen. It was neither consistent with  
his pride, nor with his dignity, tamely to  
submit to such accumulated insults from a  
confederacy, the greater part of whom he  
could reasonably stigmatize with the odious  
appellation of insurgents. To confine him-  
self to a war of posts, appeared to him a sys-

\* Tschadi, VI. May, II.

tem,

tem, unworthy of his power. It was incumbent, on the chief of the family of Austria, by one decisive blow, to crush the reptile states which braved his resentment. That blow he determined to strike at Zurich, as the center whence the whole rebellion diverged.

All the energies of his mind were, accordingly, directed toward the accomplishment of this favourite project. Ten thousand foot and two thousand horse were assembled from his hereditary states, and numerous allies were invited to join his standard\*. The magnitude of these preparations obliged him to impose upon his subjects burthens then deemed enormous, but which, compared with the contributions of modern times, scarcely merit the appellation of a grievance. It must be remembered, however, that the science of finance was then in it's infancy, if it can be said to have existed at all. Nor would the most visionary politician, in the wildest flights of fancy, have anticipated a time, when the whole arcana of government should be reduced to the practical experiment of drawing all the wealth of a nation into the coffers of

\* Stumpf. VI. Stettler, II.

CHAP. the state; and the prosperity of a country  
 VIII. should be estimated, not by the comforts of  
 the peasantry, but by the produce of the  
 customs.

In order, however, to form a just estimate of the situation and resources of those times, we must recollect that, since the discovery of America, the precious metals have increased in at least a decuple proportion. In the days of Albert, the aggregate commerce of Europe was probably less productive than what is now carried on by one of the great emporia of modern trade. Hence the difficulty of finding supplies for any military enterprise, that was planned on an extensive scale, must have augmented in a complex ratio of the scarcity of money and the want of circulation: and this satisfactorily accounts for the short space during which the most powerful princes were able to maintain any considerable force in the field\*.

On

\* Muller observes, that the pay of a soldier in the fourteenth century, comparatively speaking, was infinitely higher than it is at present in the European armies. Peter of Goumoens, in 1347, received 280  
 livres



On the tenth of June, Albert encamped in sight of Zurich, at the head of a large and well-appointed army, composed partly of troops from his hereditary dominions, and partly of the succours furnished by his allies. Among the latter were the Margrave of Brandenburg, the eldest son of the emperor Lewis, the burgrave of Nuremberg, the counts of Wirtenburg, Kyburg, and Neuchatel, with a long and splendid train of ecclesiastical and secular nobles. So little indeed was the balance of power understood, that the towns of Soleure and Berne considered themselves as bound by ancient treaties to send their respective contingents, and thus to assist in promoting the aggrandisement of their most dangerous foe\*.

The Zurickers were strongly entrenched before their walls, which in case of danger

lives for 212 days service for himself and four horsemen. In 1354, six knights and forty foot-soldiers were paid at the rate of 1008 florins for six months. The loss of a horse was computed at 350 florins, according to a convention between Goumoens and Eudes of Burgundy. II. iv.

\* Stumpf. VI.

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afforded

CHAP. afforded a safe retreat. Continued skirmishes

VIII. took place between the out-posts. The foraging parties were every day engaged. Nothing decisive however could be accomplished, till the allies had thrown a bridge over the Linmat, a measure which was absolutely necessary before the town could be completely invested. But the progress made in this work during the day, was by the activity of the garrison destroyed at night. The army was harassed, and no proportionate advantages were obtained.

Thus were hostilities protracted till the beginning of August, when the Austrians began to suffer from want of provisions. This was an evil without remedy, in an age when armies had no means of subsistence, but what they derived from the plunder of the adjacent country. The Margrave of Brandenburg is said to have been the first among the confederates, who perceived their disastrous situation, and the impossibility of continuing the siege. In this dilemma, he found an opportunity of sounding the temper of the burghers ; and having learned their pretensions, and the sacrifices which they were inclined

inclined to pay, as the price of peace, he communicated his ideas to the allied princes. CHAP. VIII.

The whole of this negotiation was probably carried on with the privacy and approbation of Albert, though the margrave affected to act an independent part; alleging his hereditary attachment to the ancient friends of his deceased father, as a plea for the warm interest which he took in favour of Zurich. Confidential messengers passed continually between the city and camp, and the rugged front of war began hourly to assume a milder aspect. But before the treaty could be brought to a conclusion, famine obliged the allies to break up their camp, and to retreat precipitately under cover of the night. At the dawn of day, the garrison, to their extreme surprise, beheld scarcely a vestige of the hostile armament. The Berners alone remained, disdaining safety when incompatible with honour, and regarding a nocturnal flight as derogatory to the reputation of courage, which they had so long enjoyed.

Meanwhile, the margrave was indefatigable in his endeavours to bring about a general pacification. By his activity and zeal the belligerent

CHAP. belligerent powers were at length induced to  
VIII. consent to an armistice, and to send deputies  
to Lucerne, where he proposed to assemble a congress, and personally to attend as mediator.

The interval was employed in arranging a general outline, which might serve as a basis for a permanent treaty. This plan, drawn with such moderation and impartiality that no valid objection could be started, was submitted to the consideration of the plenipotentiaries. Yet much remained to be done. For though the most important points were already settled, there were still many intricate questions to debate, and a variety of subordinate interests to reconcile, any of which was sufficient, in the present irritable state of things, to kindle the flame anew. It required besides a degree of self-denial, which none but elevated minds can attain, for the house of Austria tamely to abandon all her pretensions, and to sit down contented with the bitter sentiment of disappointed pride. In the character of Albert, there was nothing to inspire a hope of his possessing this exalted quality. Neither was it probable, that the united cantons would be easily persuaded to think their enemy sincere.

These

These obstacles however being at length CHAP. VIII.  
 surmounted, a treaty was concluded on the following terms: "The states of Zurich and  
 " Lucerne engaged to admit no Austrian  
 " subject to the right of citizenship without  
 " the consent of their sovereign, while the  
 " forest-cantons covenanted never more to  
 " obstruct the duke in the enjoyment of his  
 " legal prerogatives, or in the perception of his  
 " due revenues; but on the contrary, to afford  
 " him every practicable aid and support. With  
 " respect to Zug and Glaris, it was stipulated  
 " that they should return to their allegiance,  
 " but without any retrospect to past trans-  
 " actions; while the confederated cantons  
 " mutually promised, NEVER IN FUTURE  
 " to receive into their alliance any state or pro-  
 " vince belonging to the house of Austria.  
 " Finally, it was agreed that John count of  
 " Hapsburg should be set at liberty, and that  
 " all prisoners on both sides should be re-  
 " stored; in which number, the hostages were  
 " specifically included\*."

This treaty having been previously ratified

\* Tschudi, VI. . Muller, II, iv.

by

CHAP. by all parties, count John was once more rein-  
 VIII. stated in his patrimonial domain; not how-  
 ever till he solemnly engaged, that the most  
 perfect amity should thenceforth subsist be-  
 tween him and the Zurickers, and that all  
 former animosities should be buried in ob-  
 livion.

This generous confidence, on the part of  
 Zurich, did not meet with the merited return;  
 for no sooner was Albert assured that his noble  
 relation was released, than he positively re-  
 fused to deliver up the hostages till he had  
 received the sum of seven hundred florins,  
 which he claimed as an indemnification for  
 their expenses. Such pitiful dealing, on the  
 part of a mighty prince, was little calculated  
 to eradicate those prejudices, which pre-  
 vailed so universally throughout Switzerland  
 in favour of a republican government!

1343. From the transactions of the former year  
 it became obvious, that nothing but a perma-  
 nent union could effectually secure the liberties  
 of Helvetia. We have seen, during the late  
 struggle, that Berne was constrained to take  
 part against her natural allies. Every prin-  
 ciple of policy would have led her to unite  
 with

with the friends of freedom, with whom she <sup>CHAPTER</sup> had been long connected by a coincidence of <sup>VIII.</sup> views, and reciprocal esteem. They were fighting in the same glorious cause; in which she was herself engaged. Her own destruction would be the inevitable consequence of their ruin. The assistance also, which she had received from the forest-cantons at the battle of Laupen, was still fresh in her memory.

But an event took place at this important crisis, which seemed not only to render the prospect of an union more remote than ever, but which threatened to kindle the flames of discord in the very bosom of Switzerland. The inhabitants of the vale of Hasli, in the vicinity of Brientz, profited by the universal confusion to shake off their dependence on the provost of Interlachen and the baron of Rinchenberg, both of whom were in alliance with Berne. This commotion, which seemed at first unimportant (if popular tumults ought ever to be so deemed) spread with alarming rapidity; till the insurgents, encouraged by the patience of their opponents, not only refused the payment of all fiscal contributions, but actually set fire to the baron's castle. To these

CHAP. these acts of rebellion the people, it is probable, had been instigated by the secret suggestions of their neighbours, as several of the inhabitants of Unterwalden took an active part in the disturbances. The Berners on the other hand, who were scrupulously exact in fulfilling every political engagement, declared their resolution of reinstating their allies in all their just prerogatives, and immediately sent a body of troops into the revolted districts, where they shortly restored tranquillity. These were however no sooner recalled, than the peasants again flew to arms, committing the most enormous outrages, in which they were openly assisted by the forest-cantons.

The quarrel now assumed a serious aspect. The authority of Berne was at stake, nor could she recede without incurring both danger and disgrace. Messengers were therefore instantly despatched to Soleure and Bienne, to summon them to join her standard. They obeyed the call, and marching against the insurgents, completely routed them in the first skirmish. Indignant at this unwonted repulse, the brave natives of Unterwalden



terwalden breathed revenge, and left no effort untried to convert their private quarrel into a national war. But the moderation of the confederates prevented any fatal consequences. To all violent proposals they answered that, according to the principles of the Helvetic union, every difference ought to be determined by award, and not by arms. To this, therefore, they were invited to submit. Convinced that nothing could be obtained by opposing the general wish, the Unterwalders at length consented to an arbitration, of which the result was by no means favourable; as they were not only severely censured for their imprudence in having thus gratuitously engaged in the contest, but were also strictly enjoined to abstain in future from all acts of hostility. The impartiality of this decision was so satisfactory to the Berners, that their acrimonious humours at once subsided, and they were admitted as associates into the Helvetic confederacy\*.

This treaty, as usual, comprehends a variety of clauses to regulate the conduct of each

\* The ceremony took place at Lucerne, on the 6th of May, 1350.

individual

CHAP. individual member under all possible circum-  
 VIII. stances. After the accustomed stipulations

respecting feudal duties, it was enacted: "that  
 "upon the first alarm of war, each canton  
 "should send a delegate to Keinholtz\* to  
 "regulate the plan of operations; that, at the  
 "requisition of Berne, the forest-cantons  
 "should march without delay, even though  
 "the attack were directed against one of her  
 "dependent towns; and that the Berners,  
 "on their part, should hasten to the succour  
 "of their allies, whenever and wherever they  
 "were required†."

From this period, the confederacy assumed a more regular and imposing aspect; as it now comprehended eight cantons, which ranked in the following order—Zuric, Berne, Lucerne, Uri, Schwitz, Unterwalden, Zug, and Glaris. This union has been since distinguished by the appellation of the OLD BOND. During the space of a hundred and thirty years, it remained unaltered. And even after the junction of the five additional cantons, the

\* A village upon the lake of Brienz, which has been since destroyed by an inundation.

† Stettler, II. Stumpf. VIII. Muller, ib.

original

original members continued to enjoy many **CHAP.**  
valuable privileges, by which they were dis- **VIII.**  
tinguished from their new allies.

This, indeed, forms a most important epoch in the annals of Helvetia. Nor can we look back to the nocturnal assembly in the field of Rutli, WITHOUT TRACING IN VISIBLE CHARACTERS THE DESIGN OF A PROTECTING PROVIDENCE, WHO AMID THE CALAMITIES AND CONVULSIONS WITH WHICH DESPOTISM AND AMBITION HAD LONG DESOLATED THE EARTH, BENIGNLY WILLED THAT IN THE ALPINE VALLIES THERE SHOULD EXIST A PRIVILEGED SPOT, WHERE THE FLAME OF LIBERTY SHOULD BURN WITH UNEXTINGUISHED LUSTRE, AND WHERE BY CONTEMPLATING THE BLESSINGS OF A FREE GOVERNMENT MANKIND MIGHT HEREAFTER ACQUIRE A JUST ESTIMATE OF THEIR RIGHTS, AND LEARN THE PROPER MEANS TO DEFEND THEM.

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END OF THE FIRST VOLUME,

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